

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 15563 OF 2024
IN
FIRST APPEAL (ST) NO. 31594 OF 2024

Central Railway

...Applicant

Vs.

Joma Nama Patil & Anr.

...Respondents

Adv. Jenish Jain i/by U. P. Warunjikar for the Appellant.

Adv. Sachin S. Punde for Respondent Nos.1A, 1C and 1D.

CORAM : ARIF S. DOCTOR, J.

DATE : 13TH DECEMBER, 2024

P.C.:-

1. The present Interim Application has been preferred seeking stay of execution of judgment and award dated 24th November, 2023 passed by the Ld. 2nd Jt. Civil Judge, Senior Division Alibaug, District Raigad in Land Acquisition Reference No.3367 of 2019.

2. Learned Counsel for the Applicant submits that the entire decretal amount along with accrued interest will be deposited in the Reference Court within a period of four weeks from today.

3. As the decretal amount along with accrued interest is being deposited, there shall be stay to the execution of the said judgment and award dated 24th November, 2023.
4. Upon the amount deposited by the applicant, the original claimant will be entitled to withdraw the amount of compensation subject to furnishing of Solvent Surety/Bank Guarantee to the satisfaction of the Reference Court. The Reference Court shall grant opportunity of hearing to all the parties before accepting the Solvent Surety/Bank Guarantee. It is however made clear that in the event there is failure to deposit within the stipulated time, the stay granted shall stand vacated automatically without further reference to the Court.
5. The Interim Application is disposed of accordingly.

(ARIF S. DOCTOR, J.)