



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**FIRST APPEAL NO.1254 OF 2024**

The Executive Engineer, Minor Irrigation Department, Buldhana .Vs. Bhaurao  
Sitaram Fase (Dead) through LR.s. and others

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri Vinay B. Rathi, Adv. h/f Shri P.B. Patil, Adv. for appellant.  
Shri S. Halke, A.G.P. for respondent Nos.2 and 3/State.

**CORAM : SANJAY A. DESHMUKH, J.**

**DATED : 10/12/2024**

1. Heard learned Advocates for both sides.
2. Issue notice to the respondents, returnable after twelve weeks.
3. The learned Assistant Government Pleader waives service of notice on behalf of respondent Nos.2 and 3.
4. Call for record and proceedings.
5. Stand over after twelve weeks.

**CIVIL APPLICATION (CAF) No.3580 OF 2024**

1. This is an application under Order 41, Rule 5 of the Code of Civil Procedure, 1908 for grant of stay to the execution of the impugned judgment and award passed by the Reference Court.
2. Perused the application.
3. Heard the learned advocates for both the sides.

4. Learned advocate for the appellant pointed out the correspondence dated 04.11.2024 along with the cheque amounting to Rs.8,64,14,256/- deposited in the office of the Registrar, Land Acquisition, Resettlement and Rehabilitation Authority, Nagpur. He further pointed out that this amount is deposited in total 48 cases.
5. Considering this fact, it would be proper to grant stay in terms of prayer clause (a) of this application.
6. The Authority is directed not to pay that amount to the claimants, till the directions are issued by this Court.
7. The application is **allowed** and **disposed**.

(SANJAY A. DESHMUKH, J.)