



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) No.1978 OF 2024
IN
FIRST APPEAL ST. No.7619 OF 2024

(The Executive Engineer, Maharashtra State Road Development Corporation, Nagpur Vs.
State of Maharashtra, through the Special Acquisition Officer (General), Collectorate Office,
Nagpur and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A.D. Mohgaonkar a/w. Mr. D.A. Mohgaonkar, Advocate for
appellant.

Mr. M.A. Kadu, AGP for respondent No.1.

CORAM : SANJAY A. DESHMUKH, J.

DATE : 26th JULY, 2024.

1. Issue notice to the respondents.
2. Mr. M.A. Kadu, learned A.G.P. waives service of notice on behalf of respondent No.1.

CIVIL APPLICATION (CAF) No.1979 OF 2024.

1. Issue notice to the respondents.
2. Learned Advocate for the appellant submits that this appellant was not properly represented and without knowledge of this appellant Sub Divisional Engineer, P.W.D. submitted written statement and reference was not properly defended there.
3. Considering the peculiar set of facts and circumstances of the case learned Advocate for the appellant submits for granting stay.
4. Perused the application.

5. Heard learned Advocates for both sides.
6. Considering set of facts it would be proper to grant stay to the execution of judgment and award of the Reference Court till the appearance of the respondent.
7. If the amount is not deposited within a month stay granted by this Court shall be deemed to be rejected.
8. If the respondents did not appear and file say within a month the stay granted by this Court shall be continued and the application shall be deemed to be allowed without any further order.
9. The executing Court/Reference Court shall note that there is stay to the execution of said award dated 25.4.2023 and if 50% amount is deposited under award within a month, there shall be stay to the execution of it. continued.
10. Stand over to 27.8.2024.
11. Authenticated copy of this order be supplied to the learned Advocate appearing for the parties.

(SANJAY A. DESHMUKH, J.)