



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 CIVIL APPLICATION NO. 7033 OF 2023
IN FAST/16513/2023

THE EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION OSMANABAD
DIST OSMANABAD

VERSUS

SHAHAJI SO NAGNATH GULVE (DIED) THROUGH L RS SAMARTH AND
ORS

.....

WITH

CIVIL APPLICATION NO. 7035 OF 2023
IN FAST/16624/2023

THE EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION OSMANABAD
DIST OSMANABAD

VERSUS

AHMAD SO CHANDSAHEB SAYYAD (DIED) THROUGH L RS YUNUS AND
ORS

.....

WITH

CIVIL APPLICATION NO. 7037 OF 2023
IN FAST/16631/2023

THE EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION OSMANABAD
DIST OSMANABAD

VERSUS

RAVINDRA SO VAIJINATH KATHALE

Mr. S. B. Parnere, Advocate for Applicant
Mr. A. S. More, Advocate for respondent Nos.1 to 3.
Mrs. M. N. Ghanekar, AGP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 21st FEBRUARY, 2025

PER COURT :-

1. These applications are filed for stay.

2. Learned counsel for the appellant placed reliance on the order dated 18th July, 2022 passed in Civil Application No. 9393 of 2022 in First Appeal (ST) No. 13266 of 2022 contending that in respect of the similarly placed matter the stay is granted with deposit of 50% of the amount. He seeks similar order.

3. Learned counsel for the respondent has opposed the said contention by pointing out that by order dated 23rd August, 2022, this Court in Civil Application No. 11890 of 2022 in First Appeal No. 2076 of 2022 has directed deposit of entire amount of award.

4. Perusal of the record indicates that the enhancement is to the extent of 12 times.

5. In such circumstances there would be no justification for calling upon the appellant to deposit entire amount. Hence, it is fit case to grant stay to the impugned judgment and award passed by the Reference Court subject to deposit of 50% amount within a period of 12 weeks from today.

6. Applications are allowed in above terms.

(R. M. JOSHI, J.)

ssp