

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.455 OF 2025

Maharashtra Jeevan Pradhikaran

Through Executive Engineer

...Appellant

Versus

M/s C. R. Constructions Sangali

through Sanjeev Mahadev Chafekar

...Respondent

WITH

INTERIM APPLICATION (ST) NO.27175 OF 2025

IN

SECOND APPEAL NO.455 OF 2025

Maharashtra Jeevan Pradhikaran

Through Executive Engineer

...Appellant

Versus

M/s C. R. Constructions Sangali

through Sanjeev Mahadev Chafekar

...Respondent

Ms. Ameya Pitale a/w Mr. Siddharth Pitale h/f Mr. Ajit Pitale, for the Appellant.

CORAM: MADHAV J. JAMDAR, J.

DATED: 5th AUGUST 2025

P.C.:

- 1.** Heard Mr. Pitale, learned Counsel appearing for the Appellant.
- 2.** The Second Appeal is admitted on the following substantial question of law.

- (1) Whether the suit filed on 18th July 2007 for recovery of the work bill amount on the basis of price escalation and delayed payment is barred by limitation, as the Plaintiff has accepted the final work bill under protest on 19th June 2003?

Interim Application (St) No.27175 of 2025

- 3.** Not on board. Taken on board.
- 4.** Mr. Pitale, learned Counsel appearing for the Applicant states that the Interim Application (St) No.27175 of 2025 has been filed seeking stay.
- 5.** By a separate order dated 5th August 2025, the Second Appeal is already admitted.
- 6.** In this Interim Application, the Applicant is seeking stay of the impugned Judgment and Decree dated 29th August 2024 passed by the learned District Judge-1, Ratnagiri, in Regular Civil Appeal No.17 of 2019.
- 7.** Issue notice to the Respondent, returnable on **30th September 2025**.
- 8.** In addition to the Court notice, the Applicant to serve the Respondent by private service and shall file affidavit of service before the returnable date.
- 9.** Till next date, ad-interim relief, in terms of prayer clause (a) on the condition that the Applicant deposits entire decretal amount in this Court within a period of 5 weeks from today.

[MADHAV J. JAMDAR, J.]