

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 400 OF 2025
IN
FIRST APPEAL (St.) NO. 31168 OF 2024.

Central Railway,
Through the Deputy Chief Engineer (Construction),
Panvel Railway Station, District Raigad. ...Applicant.

Versus

Dattu @ Dattatray Pandurang Patil (deceased)
through LR's and Another. ...Respondents.

Ms. Leena Patil for the Appellant.

Ms. Deepa Punde i/b Mr. Sachin Punde for Respondent No.1.

Mr. A. R. Patil, AGP for Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : January 13, 2025.

P. C. :

1. Interim Application has been preferred seeking stay of the impugned judgment and award dated 21st November, 1996.
2. The stay is granted subject to deposit of the entire decretal amount along with accrued interest in the Reference Court within a period of 10 weeks from today, failing which, the Appeal will stand dismissed without further reference to the Court.
3. 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.

4. In event the application for withdrawal of compensation is not made by the claimant within a period of three months, then the amount deposited by the applicant shall be invested by the Reference Court in Fixed Deposit in any Nationalized Bank initially for a period of one year and thereafter renew the same subject to the orders of this Court.

[Sharmila U. Deshmukh, J.]