
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.9023 OF 2025
IN
FIRST APPEAL (ST.) NO.1035 OF 2025

The Executive Engineer
Hetawane Kalwa Vibhag

.. Applicant

Versus

Abdul Karim Bodhale (decd) through
his LRs Jafar Abdul Bodhale and others

.. Respondents

Ms. Shakuntala Wadekar, Advocate for the Applicant.

Mr. A. R. Patil, Additional G.P. for Respondent Nos.2 & 3 - State.

CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.

DATE : AUGUST 22, 2025

P. C.

1. The above Interim Application is filed seeking a stay to the execution, operation and implementation of the Judgement and Award dated 13th April 2023 passed by the Civil Judge Senior Division, Alibaug, Mahad in Land Reference No.10 of 2006.

2. In this Interim Application, an order was passed on 20th June 2025, whereby the Applicant - Appellant was directed to deposit the amount under the Judgement and Award (along with interest) with the Reference Court within six weeks from the said date. Since there was a

delay in depositing the amount, by order dated 04th August 2025, the time was further extended by a period of two weeks.

3. Today, we are informed that the entire decretal amount along with interest has been deposited with the Reference Court on 07th August 2025. This being the position, we direct that till the disposal of the Appeal, there shall be a stay to the execution, operation and implementation of the impugned Judgement and Award dated 13th April 2023. We also grant liberty to Respondent Nos.1A and 1B to file an Interim Application seeking to withdraw the amount deposited or any part thereof. If any such Application is made, the same shall be decided on its own merits, in accordance with law.

4. The above Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]