

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 10820 OF 2025

IN

FIRST APPEAL NO. 771 OF 2025

Rajendra Gopal Thakur Since Deceased Thr. ... Applicants/Appellants
Jagruti Rajendra Thakur And Ors.

Vs.

The State Of Maharashtra Thr. The Deputy ... Respondents
Collector (Land Acquisition) And Anr.

WITH

FIRST APPEAL NO. 771 OF 2025

WITH

INTERIM APPLICATION NO. 4002 OF 2021

IN

FIRST APPEAL NO. 771 OF 2025

The State Of Maharashtra Thr. The ... Appellants/Applicants
Deputy Collector (Land Acquisition) And
Anr.

Vs.

Manohar Vitthal Thakur And Ors. ... Respondents

Mr. D. J. Haldankar, AGP for the State in IA/4002/2021 and
FA/771/2025.

Ms. Manvi Sharma i/b Saurabh Butala for the Applicant in
IA/10802/2025 and for the Respondent in IA/4002/2021 and
FA/771/2025.

CORAM : GAURI GODSE, J.

DATED : 19th SEPTEMBER 2025

ORDER:

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1. This application is filed by the original claimants who are respondents in the first appeal. The application is filed for bringing on record the names of heirs and legal representatives of deceased respondent no.3.
2. Learned counsel for the applicant submits that there is a typographical error in paragraph (c) by mentioning respondent no.4 in place of respondent no.3 in the second line. She however submits that application is filed to bring on record names of heirs and legal representatives of respondent no.3.
3. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clauses (a), (b) and (c).
4. The proposed respondent nos. 3/1, 3/2, 3/3 be brought on record in the first appeal as heirs of deceased respondent no.3.
5. Learned AGP shall carry out necessary amendment in the first appeal and pending applications within four weeks from today.

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6. This application is for seeking stay to the execution of the impugned order passed in land acquisition reference.

7. The first appeal is already admitted.

8. The respondents (claimants) are served and are represented through advocate.

9. Subject to the applicant depositing the entire amount within 12 weeks with interest as per the impugned order, there will be interim stay in terms of prayer clause (b) during the pendency of the first appeal.

10. It is clarified that if the amount is not deposited within the time granted by this order, the interim stay granted by this order shall stand vacated without further reference to the Court.

11. If the amount is deposited, the respondent (claimants) shall be permitted to withdraw 50% of the amount on production of authenticated copy of this order before executing Court. The balance 50% of the amount shall be permitted to be withdrawn on furnishing Bank guarantee to the satisfaction of the executing Court.

12. Interim Application is disposed of in the aforesaid terms.

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13. Printing is dispensed with.

14. Learned AGP shall file private paper-book within a period of one year from today.

(GAURI GODSE, J.)