

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO. 30074 OF 2025
WITH
INTERIM APPLICATION NO. 11678 OF 2025
WITH
INTERIM APPLICATION NO. 11677 OF 2025
IN
FIRST APPEAL (ST) NO. 30074 OF 2025**

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Central Railway ... Appellant
Vs.
Joma Mahadu Mhatre and Anr. ... Respondents

Ms. Leena Patil for the Appellant.

Ms. Manvi Sharma i/b Saurabh Butala for the Respondent.

Mr. D. J. Haldankar, AGP for the State.

CORAM : GAURI GODSE, J.

DATED : 15th SEPTEMBER 2025

ORDER:

INTERIM APPLICATION NO. 11677 OF 2025

1. This application is for condonation of delay in filing the first appeal. The respondents (claimants) are served and are represented through advocate.

2. Learned advocate for the private respondents and the learned

AGP waive notice.

3. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clause (b).

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4. Admit.

5. Learned advocate for the private respondents and the learned AGP waive notice.

6. Call for records and proceedings.

7. Printing is dispensed with.

8. Learned advocate for the appellant shall file private paper-book within a period of one year from today.

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9. This application is for stay to the execution of the impugned order in land acquisition reference. Learned counsel for the applicant seeks 10 weeks time to deposit the entire amount with interest. Time granted to deposit the entire amount in the executing Court within 10 weeks. There will be stay in terms of prayer clause (b) subject to depositing the entire amount with interest as per the impugned order, within 10 weeks in the executing Court.

10. The respondents (original claimants) shall be permitted to withdraw the amount that would be deposited on furnishing surety or bank guarantee subject to the satisfaction of the executing Court. The executing Court shall pass appropriate order after hearing the concerned parties.

11. It is clarified that if the amount is not deposited within time granted by this order, the stay granted by this order shall stand vacated.

12. Interim Application is allowed in the aforesaid terms.

(GAURI GODSE, J.)