



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

CIVIL APPLICATION (S) NO. 1407 of 2018

in

SECOND APPEAL No. 410 of 2019

The Executive Engineer, Minor Irrigation Division, Akola and anr.

vs.

Shyamrao Khubaji Rathod (dead) through LRs Smt. Purnabai S. Rathod and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Hrishikesh Marathe, AGP for appellants/applicants.

CORAM :- NITIN W. SAMBRE J.

DATE :- 9th APRIL, 2025

Heard.

2. A prayer is for grant of stay to the effect, operation and implementation of the judgment dated 31.08.2017 passed by the Ad-hoc District Judge-1, Akola, in Civil Appeal No. 221/2012.

3. In response to the Court's query, it is stated that the entire decretal amount with interest shall be deposited in this Court within a period of eight weeks from today.

4. In view of the aforesaid statement, which is coming on instructions, we deem it appropriate to allow the civil application in terms of its prayer clause (i), which reads thus:

“(i) to grant stay to the effect, operation and implementation of the judgment dated 31.08.2017, passed by the learned Ad-hoc District Judge-1, Akola in Civil Appeal No. 221/2012 be kindly stayed during the pendency of the present appeal, in the interest of justice and fair play.”

5. It is further made clear that, in case if the amount is not deposited within the stipulated period, the application be treated as rejected without further reference to the Court.

(NITIN W. SAMBRE, J.)

Andurkar.