IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

32 CIVIL APPLICATION NO. 13039 OF 2026
IN FA/1192/2021

THE TAPI IRRIGATION DEVLOPMENT OFFICER, THR THE EXE. ENGINEER, M.I.W. JALGAON AND ANR.
VERSUS
RAVINDRA BHASKAR DEORE

WITH
FIRST APPEAL NO. 1998 OF 2021
WITH
CIVIL APPLICATION NO. 13041 OF 2026
IN FA/1198/2021

...
Advocate for applicants : Mr. Rahul A. Tambe
Advocate for respondent : Mr. K.M. Salve h/f. Mr. KM. More
AGP for the respondent – State : Mr. K.N. Lokhande
...

CORAM : KISHORE C. SANT AND JITENDRA JAIN, JJ.

DATE : 02 NOVEMBER 2026

PER COURT :

At the outset, learned advocate seeks leave to add prayer clause seeking stay to the impugned judgment and award passed by the reference Court.

2. Leave granted. Amendment to be carried out within two weeks.

3. Earlier this Court had passed order staying the effect and operation of the impugned order subject to the appellants depositing

the entire amount as per the award within a period of 12 weeks. The amount could not be deposited within 12 weeks and for that reason, civil application in view of the condition in the order, came to be dismissed.

4. Now, the applicants are ready to deposit the 60% of the amount with interest till 30.09.2026.

5. Heard learned advocate for the applicants. He submits that since the order was already passed, however, due to some technical difficulty, the amount could not be arranged and could not be deposited in the office of this Court. It is for this reason, the civil application in view of the conditional order, came to be dismissed. Now the applicants are ready to deposit the amount. They have calculated the interest till 30.09.2026. He further submits that no prejudice would be caused to the original claimants.

6. Learned advocate for the respondents – original claimants though opposes the application, however, looking to the fact that the amount is being secured and it will be open for the claimants to file application for withdrawal of the amount, this Court is of the view that the civil application needs to be allowed. Civil Application therefore stands allowed.

7. Sixty percent of the amount to be deposited in the office of this Court within two weeks from today along with interest till 30.09.2026. It is open for the claimants to file application for withdrawal after the amount is deposited. If there is any discrepancy in the calculation of the amount, office to presently accept the cheque and to point out the discrepancy to the applicants.

8. Subject to above condition, there shall be stay to the impugned judgment and awards till the disposal of the appeal.

9. With this, both the applications stand disposed of.

[JITENDRA JAIN]
JUDGE

[KISHORE C. SANT]
JUDGE

arp/