

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

FIRST APPEAL (ST) NO. 33872 OF 2025

M.K.V.D.C Through Executive Engineer, Temghar
Project

...Appellant

Versus

Baban Rama Shedge And Ors.

...Respondents

**WITH
INTERIM APPLICATION NO. 12662 OF 2025
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INTERIM APPLICATION NO. 12661 OF 2025
IN
FIRST APPEAL (ST) NO. 33872 OF 2025**

Mr. Sachin S. Gite *a/w Sarfaraj J. Shaikh, for the Appellant.*

Ms. Amrita Khairnar *a/w Sayalee Bhosale, Neha Pende i/b P.
H. Potnis, for the Respondent No.1.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : MARCH 5, 2026

ORDER :

1. Interim Application Nos. 12662 of 2025 and 12661 of 2025, are applications for condonation of delay and for a stay of the Impugned Order passed by the jurisdictional District Court in this First Appeal connected to the Land Acquisition Act.

2. Learned Advocate for the Applicant submits that the full deposit has already been made. Since the amounts involved have already been deposited before the jurisdictional Reference Court, the Respondent shall be permitted to withdraw 50% of the amount on production of this order with an undertaking to bring back the amount to the Court subject to the outcome of the Appeal, and the balance 50% shall be permitted to be withdrawn on the furnishing of bank guarantee, or other appropriate security to the satisfaction of the jurisdictional Reference Court.

3. In these circumstances, the delay is condoned and the execution of the Impugned Order is stayed pending consideration of this Appeal.

4. First Appeal (St). No. 33872 of 2025 is admitted.

5. Both the Interim Applications are ***disposed of*** accordingly.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]