

IN THE COURT OF DISTRICT JUDGE-3, AKOLA.

**Miscellaneous Civil Application No.467/2024.
National Highways Authority of India .Vs. Shakuntala+2.
CNR No. MHAK01-002956-2024.**

**ORDER BELOW EXH.16
(Dated 5th March, 2025)**

Present application is placed on record by the applicant. In the said application, applicant stated that vide order passed below Exh.9, this Court granted stay to the execution proceeding bearing R.D. No. 333/2024. The Court granted the stay to execution subject to deposit 75% of the award amount.

2. Applicant further stated that it has taken proper steps to deposit 75% of the award amount. But because of some technical problem it could not deposit the amount. Hence, it prayed to extend the stay to execution granted on 14.01.2025.

3. Respondent filed her say vide Exh.17. She opposed the application contending that already on yesterday itself in execution of decree some apparatus like computer, mouse etc. were seized by the Bailiff as per the order of executing Court. She further contended that the applicant has not complied the order of this Court. Hence, she prayed to reject the application.

4. Heard both the parties.

5. It is pertinent to note that alongwith this

application itself applicant placed on record copy of letter issued by the officer of National Highway Authority, the cheque of amount of Rs. 2,90,96,644/- issued yourself for the purpose of drawing DD in the name of District Court, Akola so as to comply the order below Exh.9 dated 14.01.2025. The cheque is of dated 04.03.2025. But as submitted by the learned advocate for the applicant that the DD cannot be prepared on the basis of said cheque as the account is dormant. He further submits that to bring the account in activation some time is required and thereafter on the basis of said cheque DD will be prepared for 75% of award amount in the name of District Court Akola so as to comply the order dated 14.01.2025 passed below Exh.9. The application is supported with the documents which shows bonafides on the part of the applicant. So, to my mind for some period execution needs to be stayed. Hence, the following order is passed.

ORDER

- (i) The application is allowed.
- (ii) The execution proceeding bearing Arbitration R.D. No.333/2024, Shakuntala .Vrs. National Highways Authority of India pending on the file of 9th Civil Judge (S.D.), Akola is stayed till next date.

(S.P. Shinde)

Date : 05.03.2025.

District Judge-3, Akola.