



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3941 OF 2005
IN
FIRST APPEAL NO.1707 OF 2005

.....
OFFICE NOTES, OFFICE
MEMORANDUM OF CORAM,
APPEARANCES, COURT'S COURT'S OR JUDGES
ORDERS OR DIRECTIONS ORDERS
AND REGISTRAR'S ORDERS
.....

Shri M.S. Mhambray A.G.P. for the
Appellant.

CORAM : A.S. OKA, J.
DATE : MARCH 03, 2006.

P.C.:

1. Heard the learned A.G.P. for the Appellant. The challenge in the First Appeal is to an Award made under section 18 of the Land Acquisition Act, 1894. Operation of the Award cannot be stayed unless the entire amount payable under the Award is deposited. Hence, there will be interim relief in terms of prayer clause (b) subject to condition that the Applicant/Appellant will deposit the entire amount due and payable as per the impuged Judgment and Award with the reference Court within a period of twelve weeks from today. If the amount is not deposited within



the stipulated time, the stay granted will stand vacated automatically without reference to the Court.

2. As and when the amount is deposited, the reference Court will permit the original claimant to withdraw the same on furnishing security to the satisfaction of the reference Court.

3. Civil Application is disposed of in above terms.

4. As this order is passed without notice to the Respondent, it will be open for the Respondent to apply for modification of this order.

JUDGE