



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

FIRST APPEAL NO.1209 OF 2024

[Executive Engineer, Minor Irrigation Division, Buldhana, District-Buldhana .vs. Smt. Mirabai
 Ishwar Nimkarde and others]

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Mr. U.A. Gosavi, Adv. a/w Mr. M.H. Mahashabde, Adv. for Appellant.
 Mr. S.B. Bissa, AGP for Respondent Nos.2 and 3.

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 28th NOVEMBER, 2024.

1. Heard the learned Advocate for the appellant.
2. Issue notice to the respondents, returnable after twelve weeks.
3. Learned Assistant Government Pleader waives service of notice on behalf of respondent nos.2 and 3.
4. Call for record and proceedings.
5. Stand over after twelve weeks.

Civil Application (CAF) No.3441/2024

1. This is an application under Order 41, Rule 5 of the Code of Civil Procedure, 1908 for grant of stay to the execution of the impugned judgment and award passed by the Reference Court.
2. Perused the application.
3. Heard the learned advocates for both the sides.

4. Learned advocate for the appellant pointed out the correspondence dated 04.11.2024 along with the cheque amounting to Rs.8,64,14,256/- deposited in the office of the Registrar, Land Acquisition, Resettlement and Rehabilitation Authority, Nagpur. He further pointed out that this amount is deposited in total 43 cases.

5. Considering this fact, it would be proper to grant stay in terms of prayer clause (ii) of this application.

6. The Authority is directed not to pay that amount to the claimants, till the directions are issued by this Court.

7. The application is allowed and disposed of.

(SANJAY A. DESHMUKH, J.)