

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Civil Misc. Appeal No. 1548/2024

Union Of India

----Appellant

Versus

Lrs Of Raju Ram

----Respondent

For Appellant(s)	:	Mr. Mahesh Thanvi
For Respondent(s)	:	Mr. SP Sharma Mr. Girdhari Lal

HON'BLE DR. JUSTICE NUPUR BHATI

Order

17/02/2025

Learned counsel for the appellant submits that an application (01/25) has been filed under Section 151 CPC seeking extension of time for depositing 50% enhanced award amount in compliance of the order dated 21.11.2024. It has been indicated in the application that for issuing of necessary sanction for allotment of funds, the sanction of higher authority is required which could not be granted due to various reasons.

A coordinate Bench of this Court vide order dated 21.11.2024 granted following interim order while disposing of the stay application:-

"12. Having regard to the facts and circumstances of the case, this Court deems it appropriate that in case, the appellant-Union Bank of India deposits 50% of the enhanced awarded amount (Rs.3,00,000 – Rs.1,75,000 = Rs. 1,25,000/- per bigha) along with interest as mentioned in the impugned judgment within a period of two months from today, the effect and operation of the impugned judgment/award dated 28.03.2023 passed by the learned Senior Civil Judge, Jodhpur Metropolitan in Reference Case No.20/2009 (Rajuram through LRs versus State of Rajasthan & Ors.) shall remain stayed.

13. It is made clear that after deposit of 50% of the enhanced amount by the appellant-Union of India, the same may be disbursed to the respondent No.1 forthwith, with an undertaking that in case, the appellant succeeds in the present appeal, he/she/they shall repay the same to the appellant-Union of India alongwith interest.

14. Accordingly, the stay application is disposed of.”

While taking into consideration the submissions and reasons indicated in the application, this Court deems it appropriate to extend the time period for depositing the amount in pursuance of interim order dated 21.11.2024 up-till 07.04.2025. The application stands disposed of, accordingly.

It is made clear that in case the amount, in pursuance of the interim order dated 21.11.2024, is not deposited by the appellant up-till 07.04.2025, then the Executing Court would be free to proceed further.

(DR. NUPUR BHATI),J