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C.A.No. 940 OF 2004  
ITEM No.3

Court No. 2

SECTION XIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

I.A.No.3 in Civil Appeal No.940/2004

CHATURBHUJA MODI & ORS.

Appellant (s)

VERSUS

STATE OF ORISSA & ANR.

Respondent (s)

(With Appln(s). for stay of order in Execution Case No.74/1998 and for permission to file addl. counter affidavit)

Date : 06/12/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE  
HON'BLE MR. JUSTICE S.B. SINHA

For Appellant (s)

Mr. Vinoo Bhagat,Adv.

For Respondent (s)

Mr. K.S. Rana,Adv.

Mr. Radha Shyam Jena,Adv.

UPON hearing counsel the Court made the following

O R D E R

The respondent has sought for stay of the execution proceedings in regard to that part of the award which is not challenged. We are not inclined to grant any stay. However, the learned counsel submits that the Orissa State Financial Corporation for whose benefit the land has been acquired deposited in the Civil Court the awarded amount, hence, attachment may be lifted. This is a submission the respondent will have to make before the Executing Court. With the above observation this application is disposed of.

(PAWAN KUMAR)  
COURT MASTER

(PREM PRAKASH)  
COURT MASTER