

S U P R E M E

C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. Nos.3-4 In CIVIL APPEAL NO(s). 4424-4425 OF 2008

SRI MAHABALA AMIN

Appellant (s)

VERSUS

KONKAN RAILWAY CORPN. LTD. & ANR.
(for directions and office report)

Respondent(s)

Date: 26/02/2010

These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Appellant(s)

Mr. S.N. Bhat,Adv.

For Respondent(s)

Mr. Atul Chitale,Sr.Adv.
Mrs.Suchitra Atul Chitale,Adv.
Ms. Sunaina Dutta,Adv.

Mr. Sanjay R. Hegde ,Adv

UPON hearing counsel the Court made the following
O R D E R

This application has been filed on behalf of the appellant for release of a sum of Rs.26,09,097/- deposited by the respondents in Execution Case No. 63/09, arising out of Land Acquisition Case No. 21 of 1992.

Having considered the submissions made on behalf of the respective parties, we direct, as an interim measure, that on the basis of the order passed by the High Court modifying the Award of the Reference Court, the Executing Court shall calculate the amount as admitted in terms of the said order of the High Court and pay the same to the appellant out of the amount deposited by the respondents. The application is allowed and disposed of accordingly.

(Ganga Thakur) (Juginder Kaur)
PS to Registrar Court Master