

ITEM NO.21

COURT NO.7

SECTION IX

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

Petition(s) for Special Leave to Appeal (Civil) No(s).13266/2012

(From the judgement and order dated 06/01/2012 in FA No.1294/2004 of The HIGH COURT OF BOMBAY)

CHIEF EXEC.OFFR.MAH.STATE INDUSL.DEVT. Petitioner(s)

VERSUS

TERAMBAK BALAJI SANGALE & ORS. Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and exemption from filing O.T. and with prayer for interim relief and office report)

Date: 08/05/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. Chander Uday Singh, Sr. Adv.
Mr. Guruprasad Pal, Adv.
Mr. Kiran Gandhi, Adv.
Ms. Ramni Taneja, Adv.
Mr. Anil Shrivastav, Adv.

For Respondent(s) Mr. Shivaji M. Jadhav, Adv.

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

Issue notice returnable in twelve weeks.

Mr. Shivaji M. Jadhav, advocate, appears and accepts
notice on behalf of respondent No. 1. Service on
respondent No. 1 is thus complete.

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Notice shall be issued now to unrepresented
respondents.

The following interim order shall remain operative
until further order :-

(i) The petitioner shall deposit the enhanced

amount of compensation as per the impugned judgment with the Reference Court, i.e., the District Judge, Nasik within one month from today.

(ii) Upon deposit of the above amount, the expropriated owners/claimants shall be entitled to withdraw 50% of the enhanced amount by the High Court unconditionally.

(iii) As regards remaining 50% of the enhanced amount, the expropriated owners/claimants shall be entitled to withdraw the same on furnishing solvent surety/security to the satisfaction of the District Judge, Nasik within three months of the intimation of such deposit.

(iv) In case, the expropriated owners/claimants do not furnish solvent surety/security for withdrawal of the 50% of the enhanced amount within the time above

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noted, the District Judge, Nasik shall invest the said amount in a nationalised Bank initially for a period of one year, renewable thereafter for the same period every time.

(Rajesh Dham)
Court Master

(Renu Diwan)
Court Master