

**NON
REPORTABLE**

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 5169 OF 2008
(Arising out of SLP (C) No. 5046 of 2007)

State of BiharAppellant

VERSUS

M/s. Pandey and Company
Builders Pvt. Ltd.Respondent

W I T H

CIVIL APPEAL No...5170/2008
(Arising out of SLP©No.9998/2007)

O R D E R

1. Leave granted.
2. These appeals are directed against order dated 18th of August, 2006 of High Court of Judicature at Patna disposing of IA Nos. 5977/2005 and 5982/2005 arising out of MA No. 174/2001 and the order dated 23rd of April, 2007 passed in the aforesaid appeal.

3. We have heard the learned counsel for the parties and considering the facts and circumstances of the present case, we dispose of these appeals in the following manner :-

- i) In the event, the decretal amount in question is deposited within two months from the date of supply of a copy of this order to the High Court, the recovery of the said awarded money or if any execution proceedings have already been started for recovery of the same, shall remain stayed till the disposal of the appeal and the order dated 23rd of April, 2007 shall stand set aside. For a period of three months from today, there shall be an unconditional order of stay of recovery of the awarded money.
- ii) However, if the amount is not deposited within the period mentioned above, the interim order, as indicated herein above, shall stand vacated automatically.

iii) The hearing of the appeal be expedited.

4. The High Court is requested to dispose of the pending appeal within a period of six months from the date of deposit of the awarded amount in accordance with law without granting any unnecessary adjournment to any of the parties.

5. The impugned orders of the High Court are modified to the extent indicated above. The appeals are thus disposed of with no order as to costs.

.....J.
[TARUN CHATTERJEE]

NEW DELHI

AUGUST 04, 2008

.....J.
[AFTAB ALAM]