

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION F No. 3313 OF 2014

IN

FIRST APPEAL No.1005 of 2014

Chetan s/o Narayan Mohakar and Ors.

v.

The Executive Engineer, Representing VIDC, Bembla Project Divn., Yavatmal and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.U. Nemade, counsel for appellant.
Mrs. Rashi deshpane, AGP for R-2 & 3.

CORAM : B.R. GAVAI AND
Mrs. MRIDULA R. BHATKAR, JJ.

DATED : JANUARY, 27th , 2015.

The applicants/appellants have filed this application for grant of temporary exemption for payment of deficit court fees. The learned counsel for the applicants states that the applicants have not been paid any amount towards compensation and they are from poor family. It is, therefore, submitted that the temporary exemption be granted to the applicants for payment of deficit court fees at least till the compensation in part is paid to the applicants.

The Hon'ble Apex Court has come down heavily on the State of Maharashtra in the case of Ambya Kalya Mhatre (dead) L.Rs. And others Vs. State of Maharashtra, reported in 2012(1) Mh.L.J., page 9, since it is the only State of Maharashtra wherein the court fees are required to be paid in such matters. In that view of the matter, we find that it would be in the interest of justice to grant relief as prayed for in the application. The application is, therefore, allowed. The applicants are granted temporary exemption

for payment of the deficit court fees till they receive part of the compensation from the respondents.

JUDGE

JUDGE

Hirekhan