

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

Civil Application (F) No. 3333 of 2014 in F.A. St. No. 15027 of 2014

Smt. Kokilabai Tukaram Dehanikar and another vs. The Executive Engineer
and others.

Notes, Office Memoranda of

Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

Mr. S.U.Nemade, Adv. for the appellants.

Mrs. Rashi Deshpande, AGP for R-2 and 3.

CORAM: B.R.GAVAI &

MRS. MRIDULA R. BHATKAR, JJ

DATE : 12.1.2015

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.

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