

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

CIVIL APPLICATION (F) NO.3133 OF 2015
IN
FIRST APPEAL ST. NO.16396 OF 2015

GAJANAN DATTARAO DESHMUKH
VS
THE STATE OF MAHARASHTRA AND OTHERS

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, Advocate for the appellant.
Ms. N. P. Mehta, Asstt. Government Pleader for respondent Nos.1 & 2.

CORAM : A.S. CHANDURKAR, J.

DATED : APRIL 21, 2016.

By this application, the applicant seeks grant of temporary exemption from payment of Court fees till such time the enhanced amount of compensation is received by him. In the application it has been stated that the applicant has not yet received the enhanced amount of compensation and hence, he is not in a position to pay the Court fees. Reference is made to the order dated 20-1-2015 passed by the Division Bench in Civil Application No.3064 of 2014 under similar circumstances.

Ms. N. P. Mehta, learned Assistant Government Pleader for the non-applicant Nos.1 & 2 states that subject to the Court fees paid after receipt of the enhanced amount of compensation such permission can be granted.

As it has been stated that the applicant has not received the amount of enhanced compensation and considering the order dated 201-2015 passed by the Division Bench in C. A. No.3064/2014, the application is allowed subject to the deficit court fees being paid immediately after

receiving the amount of enhanced compensation as awarded by the Reference Court. It would be open for the non-applicant No.3 to bring on record the fact that the amount of enhanced compensation has been paid to the applicant.

The application is disposed of in aforesaid terms.

CIVIL APPLICATION (F) ST. NO.16401/2015.

Issue notice to the non-applicants returnable on 4-7-2016.

Ms. N. P. Mehta, learned Assistant Government Pleader waives notice on behalf of the non-applicant Nos.1 and 2.

Hamdast for service on non-applicant No.3.

JUDGE

/MULEY/