

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 377/2017
in
First Appeal No. 2123/2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. R. S. Kavle for the Applicant
Ms. Tanaya Goswami, AGP for the State

CORAM : K.K.TATED, J.
DATED : APRIL 25, 2019

P.C.

Heard. The learned counsel for the Applicant seeks permission to carry out amendment in the First Appeal.

2 The learned counsel for the Applicant submits that they filed the present appeal challenging the judgment and award dated 23.11.2007 passed by the Reference Court in LAR No.667/2000.

3 The learned counsel for the Applicant submits that initially they claimed compensation @ Rs.300/- PSM. He submits that now they decided to claim enhanced compensation @ Rs.1800/- PSM. He submits that the Applicant may be permitted to carry out amendment in the First Appeal.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the following order:

a) The Civil Application is allowed in terms of prayer clauses (a) to (c), which read thus:

“(a) The Applicant may please be allowed to withdraw the earlier Civil Application No.3403/2010 and in its place the present new Civil Application may be allowed to be taken on record.

(b) This Civil Application for enhancement of compensation from Rs.300/- to Rs.1800/- may please be allowed.

(c) The Applicant may please be allowed to carry out necessary amendments in the First Appeal No.2123/2005 for enhancement of the compensation amount.”

b) The Applicant to carry out appropriate amendment on or before 29.06.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

c) The Applicant to pay additional court fees on or before 29.06.2019, if amendment is carried out in the appeal.

d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)