

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

CIVIL APPLICATION (CAF) NO.4201 OF 2019 AND
CAF (CAF) NO.4202 OF 2019 IN
FIRST APPEAL NO.356 OF 2015.

(Smt.Gangubai Kesharao Parkhi (Dead) thr.LR's Vs. State of Maharashtra & Anr.)

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

Court's or Judge's orders.

Shri S.R.Charpe, Advocate for the appellants.
Mrs. A.R.Kulkarni, A.G.P. for respondent No.1/State.

CORAM : PUSHPA V. GANEDIWALA, J.
NOVEMBER 26, 2019.

These applications are filed seeking permission to bring on record the legal representatives of the appellant – Smt. Gangubai Kesharao Parkhi and thereafter, permit them to withdraw the enhanced compensation amount deposited by respondent No.2 so also to refund the Court fees paid in the appeal.

It is stated that the instant First Appeal is already settled before the National Lok Adalat which was held on 14/07/2018 and accordingly, respondent No.2 – Western Coal Fields Limited, Chandrapur has deposited the enhanced compensation amount with the Registry of this Court. However, before withdrawing the said amount, the appellant died on 15/09/2019.

In the given facts, both the Civil

Application deserve to be allowed and they are accordingly allowed.

The applicants/appellants are permitted to bring their names on record.

The amendment be carried out within one week. Thereafter, the applicants/appellants are permitted to withdraw the enhanced compensation amount as deposited by respondent No.2.

It is stated that the applicants have executed power of attorney in favour of applicant No.4 – Vikas Kesharao Parkhi, a copy of which is also placed on record and thus prayed for allowing applicant No.4 to withdraw the aforesaid amount on behalf of all the applicants.

Allowed.

Applicant No.4 – Vikas Kesharao Parkhi is permitted to withdraw the aforesaid amount on behalf of all the applicants.

As the matter is already settled before the Lok-Adalat, the Registry of this Court is directed to refund the Court fees to the applicants/appellants, as per Rules.

Both the applications are accordingly stand disposed of.

JUDGE