

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

CIVIL APPLICATION [F] NO.1764 OF 2019

AND

CIVIL APPLICATION [F] NO.1765 OF 2019

IN

FIRST APPEAL NO.135 OF 2004 [DECIDED]

[Smt. Kamla wd/o Harshdev @ Harakhnath @ Eknath Yadav and others .vs. Subhashchandra Bose and others]

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

Court's or Judge's orders

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Shri C.A. Joshi, Advocate for applicants-appellants,
Mrs. Mrunal Naik, Advocate for respondent no.3.
Shri V.P. Maldhure, AGP for respondent no.4.

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CORAM : MRS. SWAPNA JOSHI, J.

DATED : APRIL 24, 2019.

CIVIL APPLICATION [F] NO.1764 OF 2019

Learned advocate for applicants-appellants seeks permission to withdraw the application. Permission granted. Civil Application stands disposed of as withdrawn.

CIVIL APPLICATION [F] NO.1765 OF 2019

The applicants-appellants have filed this application for issuing directions to the Principal District Judge, Akola.

Heard. Perused the application.

Learned advocate for appellants submits that during the pendency of the appeal, appellant no.2 Ku. Kiran and appellant no.3 Ku. Kunti have married and their names have been changed after marriage, which are mentioned in para no.2 of the application. It is submitted that in view of the marriages of appellant nos.2 and 3, it is necessary to direct the Principal District Judge, Akola to make payment of the amount to appellant nos.2 and 3 in their new names. It is further submitted

that the amount be paid to the appellants in equal shares as per the order of the trial court.

Learned A.G.P. submitted that the Principal District Judge may be directed to verify the change in names of appellant nos.2 and 3 and then disburse the amount.

In view of the fact that appellant nos.2 and 3 have been married and their names have been changed, the learned Principal District Judge, Akola is hereby directed to verify the said position by inspecting the Adhar Cards, bank accounts, proof of marriage etc. and on his satisfaction, disburse the said amount equally to all the appellants concerned in terms of the order passed by the trial court as modified by this court. With this order, Civil Application stands disposed of.

(MRS. SWAPNA JOSHI, J.)