

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

CAF No.207/2020 in First Appeal No.155/2008

Maharashtra Industrial Development Corporation

Vs.

Bhikabai w/o Onkar Hivrale and others

Bhikabai w/o Onkar Hivrale - Applicant

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

Court's or Judge's order

Shri S.Thakre, Advocate holding for Shri
 M.M.Agrnihotri, Advocate for the Appellant.
 Shri Ankush Tirukh, Advocate for the
 applicant/Respondent no.1.

CORAM : MILIND N. JADHAV, J.

DATED : 15/01/2020.

Heard learned counsel appearing for the
 respective parties.

2. The present application has been made by Original Claimant, *inter alia*, seeking disbursal and release of the accrued interest on the sum of Rs.2,12,285/- which had been deposited by the Acquiring Body - MIDC in this Hon'ble Court. By order dated 10.12.2018, Civil Application No.3638/2018 seeking release of the aforesaid deposited amount came to be allowed. By the present application, the Applicant/Original Owner/Claimant submits that any interest that may have

been accrued on the aforesaid amount of Rs.2,12,285/- during the period of its deposit and/or investment made by this Hon'ble Court, may be released in favour of Original Claimant. The prayer in the application is general and not specific. Nevertheless, considering the reasons mentioned in paragraph 2 of the application and, more specifically, no objection given by Shri Thakre, learned counsel holding for Shri Agnihotri, learned counsel appearing on behalf of Appellant-Acquiring Body (MIDC), this application can be allowed by the following order:

(i) The office is directed to compute the amount of interest, that may have accrued on the deposit of amount of Rs. 2,12,285/- from the date of its deposit and on deposit in Fixed Deposit by the High Court;

(ii) The office is directed to release the said amount of the accrued interest in favour of Respondent no.1 viz., Bhikabai w/o Onkar Hivrle R/o Yeota, Tahsil and District Akola.

3. At this stage, the learned counsel appearing for the Applicant, submits that the Applicant is almost 78 years old and, therefore, she may not be having the experience to travel all the way from Akola to Nagpur to withdraw the said amount and, therefore, he submits that the Applicant has given Power of Attorney to her

son Sheshrao Onkar Hivrare, as her Power of Attorney to withdraw the aforesaid amount from this Hon'ble Court. A copy of the Power of Attorney is enclosed as Annexure-1 to this application.

4. The office is directed to follow due procedure and check credentials of the son of Original Claimant in accordance with law before release of the said amount .

5. Civil Application is disposed of in the aforesaid terms.

JUDGE

Ambulkar