

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

CIVIL APPLICATION (CAF) NO.1124 OF 2020

IN

FIRST APPEAL NO.139 OF 2007 (D)

(M.I.D.C. through its CEO ..vs.. Tukaram s/o Domaji Ghuguskar 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 M.M. Agnihotri, Counsel for the appellant,
Shri S.P. Kshirsagar, Counsel for the respondents 1 to 3,
Smt. S.S. Jachak, A.G.P. for respondents 4 to 6.

CORAM : ROHIT B. DEO, J.

DATED : 23-07-2020

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. This application is taken out by respondents 1 to 3 for calculation and payment of the amount of compensation in view of the judgment dated 06-11-2019 in First Appeal 139/2007.

3. The further prayer is that the amount due and payable in accordance with the judgment may be paid to respondent 2-Mohan Domaji Ghuguskar, who shall receive the same for himself and on behalf of respondents 1 and 3 as their power of attorney holder.

4. Shri M.M. Agnihotri, learned Counsel for the appellant-MIDC and Smt. S.S. Jachak, learned Assistant

Government Pleader appearing on behalf of the State and its Officers have no objections if the payment due to respondents 1 to 3 in accordance with the judgment in First Appeal 139/2007, from the amount which is already deposited in this Court, is paid to Shri Mohan Domaji Ghuguskar as power of attorney holder.

5. The registry to verify, calculate and pay the amount due to respondents 1 to 3 in accordance with the judgment in First Appeal 139/2007 to respondent 2- Mohan Domaji Ghuguskar, who shall receive the same on his behalf and on behalf of respondent 1 (legal heirs of original respondent 1) and respondent 3. The power of attorney shall transfer by account payee cheque the share of the compensation in the bank accounts of respondent 1 and respondent 3 within seven days of the receipt of the compensation and shall file an affidavit of compliance in the registry of this Court within next seven days.

6. Civil Application is allowed in the afore-stated terms.

7. The Registry to communicate this order to respondent 1 and respondent 3 immediately.

JUDGE