

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 CIVIL APPLICATION NO.42 OF 2021
IN FA/1673/2020

KAMALBAI GAJANAN PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER UPPAR TAPI PROJECT
HATNOOR, JALGAON AND ANOTHER

WITH CA/44/2021 IN FA/1674/2020
WITH CA/45/2021 IN FA/1678/2020
WITH CA/47/2021 IN FA/1671/2020
WITH CA/43/2021 IN FA/1680/2020

...
Advocate for Applicant : Mr. Bhokarikar Madhav M
AGP for Respondents – State : Mr. B. V. Virdhe
Advocate for Respondent No.2 : Mr. Prashant Nagare
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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 19.06.2021

ORDER :-

1. Learned Advocate Mr. Prashant Nagare submits that he has instructions to appear for respondent No.2. He may file his Vakalatnama within a period of two weeks.

2. Heard both sides.

3. Learned Advocate Mr. Bhokarikar appearing for the applicants in all the matters submits that already their applications for withdrawal of

amount have been allowed by this Court on 27.10.2020, however, applicants are finding it difficult to come to the Court and comply with the directions and get the withdrawal of the amount. He has filed present applications for the amount to be transferred to the account of general Power of Attorney, however, this Court is not inclined to grant such kind of prayer. The amount belongs to the applicants concerned and they should go to their account. Though the general Power of Attorney appears to have been executed by them, but there should not be any room for any further litigation and, therefore, when this fact is expressed by this Court, learned Advocate Mr. Bhokarikar submits that since the parties are from Jalgaon and other areas in the taluka, it would be convenient for them to go to the Court of Civil Judge Senior Division, Jalgaon for withdrawal of the amount in view of the order passed by this Court.

4. Taking into consideration the convenience of the parties, only the implementation of the order passed by this Court in respect of allowing the applicants to withdraw the amount instead of executed through the registry of this Court, it can be get done through learned Civil Judge Senior Division, Jalgaon. Therefore, learned Registrar (Judicial) is directed to transfer that much amount which is allowed by this Court as per the order passed in respect of each of civil applications on

27.10.2020 to the Court of learned Civil Judge Senior Division, Jalgaon. This transfer be effected within a period of three weeks from today. Thereafter, the learned Civil Judge Senior Division, Jalgaon should execute the order of this Court passed on 27.10.2020 as per its schedule or conditions.

5. Compliance report be placed before this Court as and when the payments are made.

6. With these directions, this civil applications stand disposed of.

[SMT. VIBHA KANKANWADI, J.]

scm