

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

CIVIL APPLICATION (CAF) NO. 737 OF 2021 IN
FIRST APPEAL NO. 314 OF 2017 (D)

The General Manager, Western Coalfields Ltd. , Padampur Open Cast Sub-Division, Chandrapur Vs. Vandaan Dilip Raipure 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 A.S. Mehadia, Advocate for appellant.
Shri S.O. Ahmed, Advocate for respondent nos.1 to 4/applicants.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 30th JULY, 2021.

Heard.

(2) By way of this application, respondent nos.1, 3 and 4 are seeking necessary direction in view of the subsequent events happened after disposal of the aforesaid appeal.

(3) The learned counsel for respondents invites attention of this Court to the judgment and order of this Court dated 21.03.2018. This Court while disposing of the appeal enhanced the compensation to Rs.7,12,000/- with interest @9% p.a. In the said order it was directed that Rs.2,00,000/- each be invested in the name of respondent nos.2 to 4 till they attain majority and remaining amount be paid to respondent nos.1 and 5 in equal proportion. Now, it is submitted by the learned counsel that respondent no.2 has left for heavenly abode i.e. on 19.10.2020 and respondent no.5 has also left for heavenly abode i.e. on 19.05.2020.

(4) Considering the aforesaid subsequent event respondent no.1 mother of late respondent no.2 is permitted to withdraw Rs.2,00,000/- with accrued interest thereon and the share of respondent no.5 is permitted to be equally divided amongst respondent nos.1, 3 and 4. Respondent no.1 is further permitted to withdraw her share and the shares of respondent nos.3 and 4, they being minor.

(5) In view of above, upon furnishing bank account details by respondent no.1, the Registry is directed to transfer the aforesaid amounts in the bank account, within two weeks.

(6) The application is allowed and disposed of.

JUDGE

Wagh