

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

Civil Application (CAF) No.1065/2021
IN
First Appeal No.86/2020

Executive Engineer, Purna Medium Project, Achalpur Vs. Sardar Begum w/o Abdul Rafique & Ors.

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Shri Purushottam Patil, Advocate for the Appellant.
 Shri R.J. Shinde, Advocate for Respondent No.1.
 Shri M.A. Kadu, AGP for Respondent Nos.2 and 3.

CORAM : S.M. MODAK, J.

DATE : 11th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard both the sides.

3. This Court permitted the respondent No.1 to withdraw entire amount of compensation subject to conditions. It is submitted that an undertaking is given by respondent No.1 through her power of attorney holder, and solvent surety is also furnished. Due to paralysis, the respondent No.1 is unable to follow her ordinary procedures. That is why, there is a request for transferring the amount in the joint account of claimant and her power of attorney holder.

4. There is an apprehension echoed by learned Advocate Shri Patil about misuse of the amount, if such permission is granted. In view of that, the following order is passed:

- a) The entire amount of compensation be transferred in the bank account of respondent No.1 – Sardar Begum only.

- b) Office to verify about compliance of the conditions in the order dated 10th January, 2020.
- c) The respondent No.1 can give her identification through her power of attorney holder.

5. The civil application is disposed of.

JUDGE

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