

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

Civil Application (CAF) No.59/2022

IN

First Appeal Stamp No.9218/2011

The State of Maharashtra through the Collector, Chandrapur & Anr. **Vs.** Mahadeo S/o Sharwan
 Khiratkar (Dead) thr. L.Rs. & Ors.

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

Court's or Judge's Orders

 Shri H.D. Dubey, AGP for Appellant No.1.
 Ms. Kriti Satpute, Advocate for Respondent Nos.2 to 5 & 7.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 2nd FEBRUARY, 2022.

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

02] This is an application, filed by the Respondent Nos.2 to 5 and 7 in First Appeal Stamp No.9218/2011, for transfer of decretal amount in the bank of the Respondent No.3, who is the power of attorney of the other Respondents i.e. Respondent Nos.2, 4, 5 and 7.

03] The Acquiring Body had challenged the judgment dated 19.01.2010 passed by the Reference Court, Warora in LAC No.615/2008. Pending hearing of the Appeal, the Acquiring Body had deposited compensation as per the award of the Reference Court. It is stated that Respondent No.6 has expired as a spinster. By order dated 22.04.2019, this Court had permitted the Respondent Nos.2 to 5 and 7 to withdraw the amount with accrued interest in equal proportion.

04] Ms. Kriti Satpute, learned counsel for the Respondent Nos.2 to 5 and 7 states that Registry has raised objections for transferring the amount in individual bank account of these Respondents. She, therefore, states that the entire amount be transferred in the bank account of the Respondent No.3, who is holding a power of attorney on behalf of the Respondent Nos.2, 4, 5 and 7.

05] Having perused the reasons stated in the application, the application is allowed. Registry is directed to transfer the decretal amount in the Bank Account No.31381552037, which will be operated by the Respondent No.3 for himself and on behalf of the Respondent Nos.2, 4, 5 and 7.

06] The civil application stands disposed of in above terms.

(SMT. ANUJA PRABHUDESSAI, J.)

Vijay