

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

Civil Application [CAF] No.767 of 2022

in

First Appeal No.116 of 2020 (D)

Vishnu s/o Hattu Jadhao (Banjari)

vs.

The State of Maharashtra & others

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

Court's or Judge's Orders

Mr. J.A. Malnas, Advocate for the Applicant/Appellant.

Mr. M.A. Kadu, Advocate for the Non-Applicants/Respondents.

CORAM : M.S. KARNIK, J.

DATE : 18th APRIL, 2022.

This is an application of the appellant-Vishnu s/o Hattu Jadhao (Banjari) for issuing necessary direction to the registry of this Court to disburse the amount as granted by this Court in the name of the appellant "Vishnu Hattu Jadhao".

02] This Court vide its judgment dated 28/01/2020 granted enhanced compensation to the appellant and directed the respondents to deposit the compensation, which has since been deposited. Even an application for withdrawal of this amount has been allowed on 14/03/2022. The name of the appellant in the trial Court is mentioned as 'Vishnu Hattu Banjari', whereas in the present appeal, the name of the appellant is indicated as "Vishnu Hattu Jadhao Banjari". The record indicates that before the trial Court the surname "Jadhao" is not mentioned and instead "Banjari" is mentioned.

03] According to the learned Counsel for the applicant, 'Banjari' is the caste of the appellant, whereas 'Jadhao' is his surname. A pursis was filed on 20/01/2020 before this Court for correcting the surname of the appellant and the reasons are mentioned therein. To support this contention, documents are annexed along with the pursis, which are in the form of Bank Account details, PAN Card and Aadhar Card indicating the name of the appellant as Vishnu Hattu Jadhao.

04] The learned A.G.P. submits that it is for the registry to verify this aspect and after recording its satisfaction, further steps as regards disbursal in the correct name may be taken.

05] Considering the averments in the application and on the basis of the accompanying documents, I am satisfied that the application deserves to be allowed.

06] Hence, the application is allowed in terms of prayer clause (a) subject to the appellant-Vishnu Hattu Jadhao indemnifying to the satisfaction of the registry that in the event of any adverse claim is made, the amount of ₹6,16,194/- along with the interest accrued thereon shall be returned within the stipulated time period.

JUDGE

**sandesh*

Signed by: SANDESH DAULATRAO
WAGHMARE
Private Secretary to the Hon'ble Judge
Signing Date: 21.04.2022 13:10