

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

CIVIL APPLICATION (CAF) NO. 1410/2022 IN
FIRST APPEAL NO. 518/2003

Maharashtra State Electricity Board, through its Executive Engineer, Chandrapur
Vs.

Dr. Sheshrao S/o Baliram Ingole and another

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

Court's or Judge's orders

Shri G.E. Moharir, Advocate for appellant
Ms A.A. Moon, Advocate h/f Shri A. Moon, Advocate for respondent No.1
Shri A.M. Kadukar, A.G.P for respondent No.2

CORAM : SMT. M.S. JAWALKAR, J.

DATE : 29/07/2022

Present application is filed for grant of permission to withdraw the entire amount of compensation deposited by the appellant to the tune of Rs.38,38,617.98 along with accrued interest. The first appeal came to be allowed vide order dated 02/02/2016. This judgment and order came to be challenged by the claimant i.e. respondent No.1 before the Apex Court, which was allowed by the order dated 11/04/2022. The appellant filed review of that order which was dismissed as informed by learned Counsel for the appellant on 21/07/2022. The order passed by Apex Court itself clarifies that order of Reference Court is restored. The amount was directed to be refunded to the owner along with interest.

2. In view of this order, there is no impediment in releasing the amount. As such, I proceed to pass the following order :

ORDER

- i) The application is allowed.
- ii) The entire amount of compensation deposited by the appellant in this Court along with accrued interest is allowed to be withdrawn by respondent No.1.
- iii) Registry is directed to disburse that amount on verification of Bank details.

(SMT. M.S. JAWALKAR, J.)

Jayashree..