

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

CIVIL APPLICATION (CAF) NO. 1805/2022
IN
FIRST APPEAL NO. 414/2008

State of Maharashtra, through Sub-Divisional Officer and Land Acquisition Officer,
Nagpur
Vs.
Prabhakar S/o Vishwasrao Deshmukh through L.Rs and others

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

Court's or Judge's orders

Shri M.A. Kadu, A.G.P for appellant
Shri S.V. Deshmukh, Advocate for respondent Nos. 1 and 2

CORAM : SMT. M.S. JAWALKAR, J.
DATE : 07/09/2022

The present application is filed for grant of permission to withdraw the amount of interest accrued on the amount deposited by the appellant till realization of the amount. It appears that the appeal filed by the State came to be dismissed and respondents were allowed to withdraw the amount. However, while passing this order, there is no mention of interest accrued on the amount. In view thereof, the present application is moved.

2. Admittedly, the 50% of amount of total compensation was lying with this Court for sufficiently long time i.e. since year 2009. As such, after dismissal of

appeal, the respondent no.1 is entitled for balance amount as well as interest accrued thereon. In view thereof, application is allowed.

3. The respondent no.1 is permitted to withdraw the interest on the balance amount till it's realization i.e. till 25/07/2022 i.e. the day on which amount is credited in the bank account of respondent No.1

4. Registry is hereby, directed to disburse the interest accrued on the amount of Rs.9,65,441/- in the account of respondent No.1 [Annexure B] within a period of four weeks.

5. The application is disposed of.

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

Jayashree..