

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

Civil Application (CAO) No. 718/2021

IN

Civil Application (CAF) 4216/2019

IN

First Appeal (FA) No. 143/2005 (D)

Maharashtra Industrial Development Corporation, Amravati

..VS..

Sau. Pimplibai Motiram Jadhav and ors.

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

Court's or Judge's Order

Shri M.M. Agnihotri, Advocate for the appellant

Shri PP. Thakare, Advocate for respondent no. R-1-A to R-G/applicants

Ms. Hemlata Jaipurkar, Assistant Government Pleader for respondent nos. 2 and 3/
State

CORAM : A. S. CHANDURKAR J.

DATED : 08/04/2022

The applicants seek modification of the order dated 09.07.2021 passed in Civil Application (CAF) No. 4216/2019. By that order the amount of compensation with accrued interest deposited by the acquiring body was directed to be transferred to the Reference Court after which the claimants were permitted to withdraw the said amount.

It is submitted that while admitting the Appeal the acquiring body had deposited 50% amount of enhanced compensation and hence the order dated 09.07.2021 be modified by directing the acquiring body to deposit balance 50% amount of compensation before the Reference Court.

The original appellant has been served with this application. By order dated 25.07.2005 the acquiring body was directed to deposit 50% of the decretal amount as a condition for stay. The

First Appeal filed by the acquiring body was dismissed on 16.02.2017.

In that view of the matter, by modifying the order dated 09.07.2021 it is directed that the acquiring body shall deposit the balance amount of compensation with accrued interest before the Reference Court within a period of three months from today. On such deposit the Reference Court shall consider the request of the claimants for withdrawal of the amount of compensation.

The civil application is disposed of.

JUDGE

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