

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

CAO NO.92/2023 AND CROSS OBJECTION NO.84/2022 IN FA NO.98/2020

Pratibha Manoharrao Tayde, thr.LRs and ors

..VS..

VIDC, Yavatmal and ors

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

Court's or Judge's Order

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Shri V.A.Kothale, Counsel for Cross Objectors.

Shri M.A.Kadu, Counsel for Appellants.

Mrs.Shamsi Haider, AGP for R-2 to 4.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 23/01/2023

1. The cross objectors are praying for exemption of payment of Court Fee, till final decision of the present appeal.

2. The cross objectors claimed enhancement of compensation granted by learned Judge of the Reference Court. As per contention of cross objectors, due to paucity of fund, cross objectors are not in a position to comply the amount of Court Fee and undertake to make payment of the Court Fee. The claimants prayed for enhancement of compensation of Rs.68,65,489/- for which the Court Fee Rs.96,030/- is payable.

3. By order dated 8.9.2020, this Court has already permitted cross objectors to withdraw 25% amount which comes approximately Rs.60.00 lacs and, therefore, contention of cross objectors that due to paucity of fund they are unable to deposit the Court Fee is unacceptable.

4. Learned counsel Shri V.A.Kothale for cross objectors submits that he be permitted to restrict claim upto Rs.5.00 lacs.

5. Leave is granted to restrict the claim upto Rs.5.00 lacs.

6. In view of the statement made, the application is **disposed of.**

7. Two weeks' time is granted to make necessary Court Fee.

8. It is submission of learned counsel Shri V.A.Kothale for

cross objectors that copy of the cross objection is supplied to other side.

9. Place this matter on 6.2.2023.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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