

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

CIVIL APPLICATION (CAF) NO.2929 OF 2022 IN
FIRST APPEAL NO.446 OF 2021 (D)

Dondhulal s/o Mohanlal Tembhare and Ors. Vs. Union of India and Ors.

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

Court's or Judge's orders.

Shri R.G. Bagul, Advocate for applicants.
Smt. Ashwini Athalye, Advocate for non-applicant no.1.

CORAM : URMILA JOSHI-PHALKE, J.
DATE : JANUARY 18, 2023.

By this application, the applicants are seeking direction to the Additional Registrar, Railway Claims Tribunal to transfer the compensation amount in the bank accounts of the appellants.

2. As per the contention of the applicants, First Appeal no.446 of 2021 has been disposed of on 28.04.2022 by granting compensation of ₹8,00,000/- to the appellants and thereafter the amount is deposited. Therefore, they approached to the Additional Registrar of Railway Claims Tribunal, Nagpur for withdrawal of the amount. They have already furnished bank account details, however, the Additional Registrar, Railway Claims Tribunal has not accepted their requests and has not transferred the amount. It is further submitted that the applicants have submitted relevant documents.

3. Considering the submission of the learned advocate for the applicants, by order dated 11.01.2023, this Court has directed to applicants to submit the documents of their relatives, who are residents of Maharashtra or any other part of the Country and to make a statement that the appellants are permanent resident of Maharashtra. Today, the appellants have filed an affidavit, which is taken on record and marked as 'Exh.X' for identification purposes, of Geeta Rajaram Bisen, who is niece of the appellant no.1. She has stated on oath that appellant no.1 is her maternal uncle and permanent resident of Karegaon, Post Dewalgaon, Tehsil Lanji, District Balaghat (Madhya Pradesh).

4. This Court has already modified the order. The Registrar, Railway Claims Tribunal is already directed to disburse the amount within a period of six weeks, after due verification and identification.

5. In view of the affidavit filed by the appellants, Registrar, Railway Claims Tribunal shall take necessary steps to disburse the amount within a period of two weeks, after due verification and identification.

6. The civil application stands disposed of.

JUDGE

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