



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5987 OF 2024  
IN FA/4790/2023

JIJABA BHIVA MENGADE DEID THR LRS ANUSAYA JIJABA MENGADE AND  
ORS

VERSUS

THE UNION OF INDIA, THR THE GENERAL MANAGER, CENTRAL RAILWAY,  
MUMBAI AND ORS

Mr.D.A. Bide, Advocate for the applicants.

Mr.A.G. Talhar, Advocate for the respondent – Union of India.

CORAM : KISHORE C. SANT, J.  
DATED : 23.07.2024

PC :-

01. Heard. This application is filed for directions the Executing/Reference Court, where the amount of compensation is deposited by the appellant. It is stated that the amount is deposited in the Reference Court after stay order was passed by this Court and for this reasons the applicants are not in a position to withdraw the amount.

02. Heard. Considering that in similar other matters where amount is deposited in this Court, the applicants are permitted to withdraw the amount along with accrued interest, in view of the same, there is no propriety in keeping the amount lying idle in the Executing Court.

03. This application is, therefore, allowed in terms of prayer clause (C), subject to filing an undertaking that in case the appeal is decided against the claimants/present applicants, they shall re-deposit the amount with the Reference Court within 12 weeks from the date of such judgment.

04. The civil application is accordingly allowed and is disposed off.

[KISHORE C. SANT, J.]