



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

CIVIL APPLICATION NO.290/2024 IN FIRST APPEAL NO.189/2021 (D)

Sadashiv Narayan Rathod (dead) thr. LRs. .Vs. State of Maharashtra and Ors.

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

Court's or Judge's orders

Mr. I. M. Ghongde, Advocate for applicant.

Ms. H. S. Dhande, A.G.P. for respondent nos. 1 and 2.

Mr. S. Nimje, Advocate instructed by Mr. Gaidhane, Advocate for respondent no.3.

CORAM : ANIL L. PANSARE, J.

DATE : JANUARY 31, 2024.

First Appeal No.189/2021 has been decided by this Court vide judgment dated 13.12.2022. The award passed by the reference Court has been modified and the amount of compensation has been enhanced to Rs.2800/- per square meter.

Appellant – Sadashiv expired on 23.01.2023 i.e. subsequent to passing of the judgment by this Court.

The applicants herein are legal representatives of Sadashiv. The Legal Heir Certificate issued by the Jt. Civil Judge Junior Division, Darwha has been annexed as Annexure – D. The legal representatives appear to have executed power of attorney in favour of the applicant no.1-Laxman. Accordingly, directions are sought to the Registry to disburse the amount of compensation deposited by the acquiring body in favour of the power of attorney holder.

The only relief that can be granted is to let the power of attorney act on behalf of the other applicants for disbursement of amount in the account of the respective applicants.

Registry shall act accordingly and shall ensure that the amount of compensation has been equally paid to the legal representatives through account payee cheque/RTGS. The applicant no.1 is permitted to execute the document to facilitate the transfer of amount in the accounts of the applicants.

The application is disposed of in the above terms.

(Anil L. Pansare, J.)

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