



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

CIVIL APPLICATION NO.1729 OF 2023 IN
FIRST APPEAL NO. 571 OF 2017 (D) WITH
CROSS OBJECTION NO. 17 OF 2021 (D)

The Executive Director VIDC, Nagpur and anr.

..vs..

Shri Rajesh Prabhakar Bokinpillewar 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 M.M. Agnihotri, Advocate for the claimant no.1
Shri Jafar A. Malnas, Advocate for the claimant no.2.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 17/01/2024.

Heard.

2. This is an application seeking for withdrawal of remaining compensation amount, which has been deposited by the Acquiring Body in the Court. The Award was challenged by the Acquiring Body in First Appeal No. 571 of 2017 however the appeal came to be dismissed and Cross-Objection was partly allowed by this Court vide order dated 13.01.2021.

3. Both learned Counsel appearing for the claimants would submit that the Acquiring Body has not challenged the said order till date meaning thereby it has achieved the finality.

4. It is the claimants' contention that they own the acquired land in equal proportion that is 50-50 percent each and thus, they requested to direct the registry to separately disburse 50% amount to each claimant with accrued interest.

5. In view of the above, we see no difficulty for

disbursement as proposed.

6. The application is allowed. The amount deposited in the Court shall be disbursed in equal proportion (50% to each) along with accrued interest to both claimants.

7. The application stands disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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