



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

CIVIL APPLICATION (CAF) No.793 OF 2024
IN
FIRST APPEAL No.237 OF 2020

(The Executive Engineer, Purna Medium Project, Achalpur Division, Achalpur, Distt.
Amravati Vs. Prabhakarrrao s/o. Bhaskarrao Khuje and others)

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

Court's or Judge's orders.

Mr. Tariq Mohd. Zaheer, Advocate for appellant.
Mr. R.J. Shinde, Advocate for claimant-respondent No.1.
Ms. D.I. Charlewar, AGP for responded Nos.2 and 3.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 16th AUGUST, 2024.

1. This is an application for transfer of principal compensation amount of Rs.4,79,217/-, which is deposited inadvertently in this appeal before this Court on 16.12.2019, to First Appeal No.228/2020.
2. Perused the application.
3. Heard learned Advocates of both sides.
4. Learned Advocate for the claimant-respondent No.1 and learned A.G.P. for the respondent Nos.2 and 3 have no objection for allowing this application.
5. Considering the reasons stated in the application, the application deserves to be allowed in the interest of justice. The application is allowed.
6. Learned Advocate for the appellant submits that the amount of Rs.4,79,217/- which was deposited before this Court in this appeal was already withdrawn by

the claimant-respondent No.1 and the amount of Rs.2,88,656/- which was deposited in First Appeal No.228/2020 was transferred in this appeal as per order dated 3.8.2024 of this Court in First Appeal No.228/2020. Therefore, the amount of Rs.2,88,656/- is required to be again transfer to First Appeal No.228/2020 and the remaining difference amount of Rs.1,90,561/- is required to be recovered from the claimant-respondent No.1 in this appeal.

7. Learned Advocate for the claimant-respondent No.1 has no objection and he submits that it will be re-paid/deposited in this appeal.

8. The registry is directed to transfer an amount of Rs.2,88,656/- in the First Appeal No.228/2020 and the remaining amount of Rs.1,90,561/- is directed to be recovered from claimant-respondent No.1. After recovery of said amount of Rs.1,90,561/-, it is to be transferred in First Appeal No.228/2020.

9. The application is disposed of.

(SANJAY A. DESHMUKH, J.)