



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

CIVIL APPLICATION (CAF) NO. 1036 OF 2024

IN

FIRST APPEAL NO. 450 OF 2018

KONDABAI KHANDUJI INGOLE (Dead) THRU. LRs MAROTI K INGOLE AND OTHS.

VERSUS

STATE OF MAH., THRU. COLLECTOR, AMRAVATI AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Pawan Sarise, Advocate h/f Mr. R. J. Shinde, Advocate for the
appellants.

Mr. Saurabh C. Joshi, A.G.P. for the respondent nos.1 and 2.

Mr. J. B. Kasat, Advocate for respondent no.3.

CORAM : G. A. SANAP, J.

DATE : APRIL 08, 2024.

1. Heard learned advocates for the parties.
2. This is an application for recall of the order dated 11.01.2024 passed by this Court.
3. Appellant no.4 being the constituted attorney for the remaining appellants, was allowed to withdraw the amount of compensation. He was directed to file an affidavit of disbursement of the amount of share to the rest of the appellants. The affidavit was not filed within time and therefore, by order dated 11.01.2024, appellant no.4 was directed to redeposit the entire amount with interest.
4. In this application, it is stated that now appellant no.4 has filed an affidavit. It is also stated that the remaining appellants have also filed an affidavit and stated that they have received the amount of their share.

5. On going through the record and the affidavits, it is seen that the order has been complied with. The affidavit has been filed. Therefore, the order dated 11.01.2024 is required to be recalled.

6. Accordingly, the application is allowed. The order dated 11.01.2024 is recalled. The application stands disposed of. No order as to costs.

(G.A.SANAP, J.)

Diwale