

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.3269 OF 2025
IN
CIVIL REVISION APPLICATION NO.720 OF 2009

Gokuldas M. Thomani (Deceased) through ...Applicants
Satishbhai J. Dattani & Ors.
IN THE MATTER BETWEEN:
The State Of Maharashtra In
Its Food And Civil Supply Department & Anr. ...Applicants
Versus
Gokuldas M Thomani Deceased
Through His Legal Heirs
1). Satisbhai J Dattani & Ors. ...Respondents

Mr. A. R. Patil, for the Applicant.

Mr. Abhishek T. Ingale i/b Mr. V. T. Lulia, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.
DATED: 05 MARCH 2025

P.C.:

1. This Interim Application is taken out seeking following reliefs in terms of prayer clause (a) and (b).

“a. this Hon’ble Court be pleased to condone the delay in depositing the interim compensation of Rs.50,000/- in the Trial Court for the month of October 2024 and November 2024 pursuant to the order dated 02.08.2024 passed by this Hon’ble Court;

b. that this Hon’ble Court be pleased to direct the Small Cause Court to accept the deposits towards interim compensation of Rs.50,000/- for the month December 2024 onwards;”

2. A learned Single Judge by Order dated 2nd August 2024 passed in Interim Application No.17696 of 2022 in Civil Revision Application

No.720 of 2009 issued following directions:-

“(i) The Revision Applicants shall deposit interim compensation @ Rs.50,000/- per month for the period from December 2021 till 30th September 2024 on or before 30th September 2024 and shall thereafter continue deposit the said interim compensation on or before tenth day of each month from October 2024 onwards. This arrangement is without prejudice to the rights and contentions of both the parties.

“(ii). The deposited amount shall be invested in the interest bearing deposits.”

3. Mr. Patil, learned Additional Government Pleader, appearing for the Applicants state that as there was some time required for getting sanction from the appropriate department of the State of Maharashtra, there is some delay.

4. Mr. Ingale learned Counsel appearing for the Respondent strongly opposes the Application.

5. However, for the reasons set out in the Interim Application the same is allowed in terms of prayer clause (a) and (b).

6. The learned Trial Court to accept the Interim Compensation at the rate of Rs.50,000/- per month from the month of December 2024 till 30th April 2025, if deposited by the Applicants i.e. State of Maharashtra on or before 10th April 2025.

7. Mr. Patil, Additional Government Pleader, states that thereafter the compensation at the rate of Rs.50,000/- per month will be deposited as per the Order dated 2nd August 2024.

8. Accordingly, the Interim Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]