



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

CIVIL APPLICATION (CAF) NO. 673 OF 2025

IN

FIRST APPEAL NO. 870 OF 2016

(Executive Engineer, Purna Medium Project Division, VIDC, Achalpur ..vs.. Balwant Marotrao
Shingore, since deceased through L.Rs. 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. P.P. Chobe, Advocate for the appellant,
Mr. S.S. Alaspurkar, Advocate for respondent Nos. 1A to 1D and 4,
Ms. H.S. Dhande, A.G.P. for the respondents/State.

CORAM : ABHAY J. MANTRI, J.

DATED : 09-07-2025

Respondent No.4-Suchitra, has made an application to direct the registry to transfer the amount to the extent of her share in her bank account along with accrued interest thereon in the name of “*Suchitra Dilip Phadnis*” instead of ‘*Suchitra Dilip Phadanawis*’, for which the learned Advocate for the appellant has given no objection.

2. On perusal of the record, it appears that the applicant, who is the original petitioner No.4 in the Land Acquisition Case No.27/2006 filed reference under Section 18 of the Land Acquisition Act before the Reference Court, Amravati, wherein her name was mentioned as ‘*Suchitra Dilip Phadanawis*’ and accordingly in the judgment as well as the appeal memo the same was continued. However, today, the applicant/respondent No. 4 produced copies of the Aadhaar Card, PAN Card, and Passport before the Court and contended that the correct name of the applicant is “*Suchitra Dilip Phadnis*”, instead of ‘*Suchitra Dilip Phadanawis*’. It is also stated that while disbursing the

amount, the registry brought to her notice an issue with her name. Therefore, she has moved this application for directing the registry to disburse the amount without filing any application for correction in her name in the reference application, judgment, award and the appeal memo. In fact, the applicant ought to have made the necessary application before the Court to carry out the correction in her name.

3. On perusal of the copies of Aadhar Card, Pan Card and Passport, prima facie it appears that the applicant's correct name is "*Suchitra Dilip Phadnis*" and she is the legal heir of Balwant Marotrao Shingore, for which the learned Advocate for the appellant does not dispute. As such, the leave to correct the name of the applicant/respondent No.4 in the title clause of the memo of appeal is granted to the learned Advocate for the appellant, as urged, forthwith.

4. Having considered the above discussion, the applicant is also directed to carry out the correction in her name in the cause title of the reference application. After carrying out the said correction, the correction is to be carried out in the judgment and award of the Reference Court accordingly. Two weeks' time is granted to carry out the said corrections.

5. It further appears from the record that by order dated 21-06-2024, this Court in Civil Application No.1407/2024 permitted the applicants, along with other co-sharers, to withdraw the amount. Hence, after carrying out the above corrections, the Registrar (J) has to comply with the order dated 21-06-2024.

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The learned Advocate for the appellant seeks three weeks to bring the legal heirs of respondent No.3 on record. Time as prayed is granted.

2. List the appeal after three weeks.

(ABHAY J. MANTRI, J.)

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