



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

CIVIL APPLICATION (CAF) NO. 1275 OF 2025
IN
FIRST APPEAL NO. 384 of 2007

Maharashtra Industrial Development Corporation through Chief Executive Officer,
District Amravati
Vs.
Shantabai Nagorao Thele and others

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

Court's or Judge's orders

Shri Mayank Agnihotri, Advocate h/f Shri M.M. Agnihotri, Advocate for appellant
Shri Raj Rorele, Advocate h/f Shri P.S. Wathore, Advocate for respondent Nos. 1 to 3
Shri M.A. Kadu, AGP for the respondent/State

CORAM : SHRI ABHAY J. MANTRI, J.
DATED : 10.07.2025.

Applicants/respondents Nos. 2 and 3 have filed this application to direct the Registry to release the share of respondent No. 1 to them equally, as respondent No. 1 died during the pendency of the appeal on 24/12/2015, and they are the only legal heirs. For which, learned Counsel for the appellant has given no objection, as the appeal was dismissed on 18/01/2019.

2. It further appears that by order dated 08/05/2024, this Court has permitted applicants, along with respondent No.1, to withdraw the amount. However, due to the death of respondent No. 1, the Registry was not inclined to release the share of

respondent No. 1, i.e., Shantabai Nagorao Thele, in their favour equally; therefore, they have moved this application.

3. Considering the reason disclosed in the application and the fact that during the pendency of the appeal, respondent No.1 – Shantabai died, leaving behind the applicants as her legal representatives, I deem it appropriate to allow the application. Hence, the application is allowed.

4. Applicants are permitted to withdraw the amount of compensation deposited in this Court equally.

5. The learned Registrar (J) is directed to transfer the said amount equally into the bank accounts of the applicants Nos. 1 and 2 within four weeks, on their furnishing their bank account details to the Registry.

JUDGE

Jayashree....