



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

**CIVIL APPLICATION (CAF) NO.2988 OF 2025
IN
FIRST APPEAL NO.1227 OF 2019**

The Executive Engineer, Bembla Project, Yavatmal, Tq. And Dist. Yavatmal
vs.

Vitthal Bhaurao Thakare (Died), Thr. Lrs. Nanibai Vitthalrao Thakare and ors.

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

Court's or Judge's orders

Shri A. B. Nakshane, Advocate for applicants/respondent Nos. 1a to 1d.
Shri M. A. Kadu, Advocate for appellant.
Smt H. S. Dhande, Assistant Government Pleader for respondent Nos. 2 and 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 20-08-2025

The applicants/respondent Nos. 1a to 1d have filed this application to permit them to withdraw the compensation amount as per the judgment and order dated 17/10/2019 in First Appeal No.1227/2019, for which the learned Advocate for the appellant has no objection, as the first appeal has already been disposed of on 17/10/2019.

2. Having considered the reasons disclosed in the application, as well as no objection of the learned Advocate for the appellant, and the fact that the first appeal has been disposed of on 17/10/2019, I deem it appropriate to allow this application. Hence, the application is allowed as prayed.

3. The applicants are permitted to withdraw the compensation amount deposited in this Court along with accrued interest thereon in terms of the judgment and order dated 17/10/2019 and the award passed by the Reference Court.

4. It also appears that applicant Nos. 1a, 1c and 1d have

executed a Power of Attorney in favour of applicant No.1b Hemraj Vitthalrao Thakare on 13/08/2015 and thereby authorised him to collect the amount on their behalf as the applicant No.1a is the mother and applicant Nos. 1c and 1d are sisters of applicant No.1b.

5. The Registrar (Judicial) is directed to transmit the amount as per judgment and order dated 17/10/2019 in the bank account of the respective applicants within six weeks on applicant No.1b furnishing bank account details of all the applicants to the Registry. It is made clear that the personal appearance of applicants Nos. 1a, 1c and 1d is exempted.

Civil Application is disposed of.

(ABHAY J. MANTRI, J.)