

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

FIRST APPEAL NO. 920 OF 2024

(THE EXECUTIVE ENGINEER, PURNA MEDIUM PROJECT ACHALPUR DIVISION AMRAVATI

VS

SARDAR BEGUM W/O ABDUL RAFIQUE (DEAD) THROUGH LRS

ABDUL RAHMAN ABDUL RAFIQUE (SON) AND OTHERS)

Mr. V.B.Rathi, Advocate h/f Mr.P.B.Patil, Advocate for appellant.

Mr. D.D.Yewle, Advocate for respondent No.1.

Mrs.Hemlata Dhande, AGP for respondents No.2 and 3.

CORAM : ABHAY J. MANTRI, J.

DATE : AUGUST 13, 2025

CIVIL APPLICATION (F) NO. 3465 OF 2019

1) The applicant/appellant submitted that the appellant has deposited the entire amount of compensation in the Court on 17/10/2019 and therefore, the applicant urged to continue ad-interim order dated 17/09/2019, till the disposal of the appeal; for which learned counsel for the respondent No.1 and learned Assistant Government Pleader for respondents No.2 and 3 have given no objection.

2) Having considered reasons disclosed in the application and the fact that the appellant has deposited the entire amount of compensation along with interest in the Court, and therefore, in my view, it would be appropriate to continue the stay order till the disposal of the appeal. Hence, the application is allowed as prayed.

CIVIL APPLICATION (F) NO. 2824 OF 2024

1) The applicants/respondent No.1(a) to 1(e) have filed this application to direct the Registry to transmit the compensation amount in the bank account of applicant No.1(a) Abdul Rahman Abdul Rafique, as rest of the applicants have executed power of attorney in his favour and thereby authorised him to collect the compensation amount on their behalf in his bank account as mentioned in para 2 of the power of attorney; for which learned counsel for the applicant has given no objection.

2) Having considered the reasons disclosed in the application, no objection given by the learned counsel for the respondents, as well as the fact that applicants No.1(a) to 1(e) are siblings, the application is allowed as prayed.

3) The Registrar (J) is directed to transmit the amount of compensation along with interest thereon, in the bank account of applicant No.1(a) as mentioned in para 2 of the power of attorney, within seven weeks on their furnishing usual undertaking and solvent surety in the like amount.

4) The respondent No.1(a) is directed to file an affidavit before the Registry of this Court about the distribution of the compensation amount to the applicant No.1(b) to 1(e) within three weeks on receipt of the amount in his bank account.

(ABHAY J. MANTRI, J.)