



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

CIVIL APPLICATION (CAF) NO. 2153 OF 2025

IN

FIRST APPEAL NO. 1067 OF 2010 (D)

(The M.I.D.C. ..vs.. Hurbee Sayyad Noor 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. M.M. Agnihotri, Advocate for the appellant,
Mr. A. Shaikh, Advocate h/f. Mr. B.J. Lonare, Advocate for respondent No.1,
Ms. M.R. Kavimandan, A.G.P. for respondent Nos. 2 and 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 07-07-2025

Applicant/respondent No. 1-a, Saiyad Rahman Saiyad Noor, has filed this application seeking directions against the appellant to deposit the balance amount of compensation, along with accrued interest thereon, in this Court, as per the order dated 21-01-2025. In response, the learned Advocate for the appellant submitted that within a week, the appellant will deposit the entire awarded amount, along with the accrued interest, in the Court.

2. On perusal of the record, it seems that by order dated 21-01-2025 the appeal was dismissed, wherein the learned Advocate for the appellant has made a statement before the Court that he would deposit the balance amount of 25% of the compensation along with accrued interest thereon in the Court, within a week. Despite the statement above, the appellant failed to make the deposit. Thereafter, the applicant filed Civil Application No. 1264/2024, which was disposed of by directing the appellant to deposit the amount within four weeks. Thereafter, the appellant filed an application seeking permission

to deposit the awarded amount within a week in the Court. In spite of the order dated 13-03-2025, the appellant failed to deposit the amount in the Court. Therefore, the applicant has moved this application.

3. Having considered the same, I find substance in the contention of the learned Advocate for the applicant that the appellant, despite giving an undertaking before the Court, failed to deposit the cheque in time, for which the applicant is entitled to the said amount. Therefore, the application is allowed as prayed.

4. The appellant is directed to deposit the balance amount of 25% along with interest accrued thereon within one week from today, failing which the necessary orders will be passed to secure the presence of the officer who will be responsible for causing the delay in making payment to the applicant.

5. List the matter on 14-07-2025.

(ABHAY J. MANTRI, J.)

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