



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

CIVIL APPLICATION (CAF) NO.242/2025 IN
CROSS OBJECTION NO.09/2017 (D) IN
FIRST APPEAL NO.1318/2009 (D)

The State of Maharashtra, through Head Master, Government Technical High
School, Amravati and another Vs.

Smt. Krishnabai wd/o Madhukar Kadhane and others

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

Court's or Judge's orders

Shri H.D. Futane, AGP for appellant/State
Shri C.A. Joshi, Advocate for respondents

CORAM : PRAVIN S. PATIL, J.
DATE : 12.01.2026

1. This Court, by judgment and order dated 15.01.2019, dismissed the appeal filed by the State and allowed the Cross-objection filed by the claimants. In view of this, the claimants have to deposit the deficit Court fees of Rs.5500/- with the Registry of this Court.
2. By this application, the claimants prayed that the State of Maharashtra be directed to deposit the entire amount of compensation and the deficit Court fees be deducted from that amount and balance be paid to the claimants.
3. Learned AGP has pointed out that claimants have already initiated the execution proceedings before the Principal District and Sessions Judge, bearing Darkhast No.07/2023.

4. It is further submission of the learned AGP that the claimants can either prosecute the present application or execution proceedings, which are pending before the District and Sessions Judge, Akola. The applicant states that he is not having amount of Rs.5500/- to deposit before this Court and, therefore, the present application is moved.

5. In the circumstances, in my opinion, it will be proper for the claimants to prosecute the execution proceedings, which are pending before the District and Sessions Judge, Akola.

6. It is made clear that after deposit of compensation amount by the State in the execution proceedings, the claimants will deposit the deficit Court fees before this Court within a period of two weeks.

7. It is further made clear that executing Court while deciding the execution proceedings should take care and take necessary undertaking from the claimants to the effect that they will deposit the deficit Court fees within a period of two weeks after the amount is deposited by the State Government.

8. In terms of above, the application stands disposed of.

(PRAVIN S. PATIL J.)