

GJPM040003752026



C. M. A. No.6 of 2026

**ORDER BELOW EXH.1 OF PAYMENT APPLICATION
IN LAND REFERENCE CASE No.653 OF 2009**

1. On perusal of the record of the present application it appears that the present all claimants have earlier filed CMA No.10/2024 for withdrawal of compensation amount of LAR No.653/2009 against the present opponents which was partly allowed by this Court on date 25.09.2025 and paid 50% amount of compensation to the present claimants as the opponent No.1 has filed appeal against the Judgment of LAR No.653/2009 before the Hon'ble High Court and said appeal is pending at that time. But as per recent common order dated 24.03.2026 of Hon'ble High Court in R/Civil Application (For Condonation of Delay) Nos.842, 844, 845, 847, 849, 851, 852, 854 and 855 of 2026 in R/First Appel Nos.1201-1209 of 2026 submitted by the learned advocate for the claimants with this application it appears that, Hon'ble High Court has disposed that appeal and directed to Reference Court to disburse the amount of compensation deposited by the State Government. Therefore, present claimants have again filed this application for payment of remaining 50% amount of compensation. Looking to the above order of Hon'ble High Court it appears that order/judgment passed by this Court in LAR No.653/2009 attain finality.

2. Therefore, by following the order of Hon'ble High Court this Court is of the view that present application is required to be allowed and the present claimants are entitled to withdraw the said amount deposited in the Court and hence the following order is passed in the larger interest of justice :-

:: ORDER ::

- Nazir of this Court is hereby directed withdraw the FDR No.44540038850 and pay its entire amount i.e. Rs.12,72,215/- (Rupees Twelve Lacs Seventy Two Thousand Two Hundred Fifteen Only) alongwith whatever interest to Nayak Lalitaben Gulabbhai, whose name is mentioned in the present payment pursis, by A/c. Payee Cheque after due verification and identification and only on her personal appearance at the time of payment.
- The claimant is directed to furnish the Election Card / Ration Card / Driving Licence etc. along with her recent passport size photograph as the proof of her personal identification at the time of receiving the payment.
- The above payment is made with a condition that, if any, contingency arises in future, she shall deposit back the said amount with this Court without fail.

Signed and pronounced in open Court today i.e. on this 10th day of April, 2026.

Date : 10/04/2026.
Place : Halol.

[Rajeshkumar Batuklal Joshi]
Principal Senior Civil Judge,
Ta.Halol, Dist.Panchmahal.
(Code No.GJ00952)