

O.S.No.148/2024

ORDER ON I.A.NO.8 U/SEC.151 OF CPC

The plaintiffs have filed this application U/Sec.151 of CPC and sought to direct the office to place the records pertaining to compensation amount in respect of land in Sy.No.96 of Hangnalli village deposited by defendant No.18 through letter dated: 23.09.2024 at Inward No.687/2024 and pass necessary order in respect of the said compensation.

The learned counsel for the plaintiffs has filed memo of facts and stated that on verification of records recently it is revealed that the defendant No.18 who acquired the land in suit Sy.No.96 deposited compensation amount with this court. This suit is pending disposal between the parties in respect of the suit land and entitlement of compensation. Hence, prays to pass necessary orders.

The defendants have not filed objections.

Perused the records and heard.

As per the direction of this court the office of this court placed the records pertaining to

compensation amount deposited by the defendant No.18 and the same reveals that the defendant No.18 deposited compensation amount of Rs.16152942/- in respect of the acquisition of the land in suit Sy.No.96 by letter dated 23.09.2024 and the said amount was received by this office at Inward No.687/2024. On perusal of the office records this court find that the defendant No.18 in its letter did not mention this suit number and the amount is received by this court without mentioning this suit number. But in its letter the defendant No.18 mentioned the description of the property as land measuring 16 acres 16 guntas in Sy.No.96 of Hangnalli village Tq: Sedam. The same reveals that the amount received by letter dated 23.09.2024 at Inward No.687/2024 pertains to this suit only. Therefore, this court find it just and proper to direct the office of this court to deposit the compensation amount received at Inward No.687/2024 in this suit i.e., OS No.148/2024. Hence, the following;

ORDER

The application filed by the plaintiffs U/sec.151 of CPC is hereby allowed.

Office to deposit compensation amount of Rs.16152942/- deposited by the defendant No.18 by its letter dated 23.09.2024 and received by this court at Inward No.687/2024 in this suit i.e., in OS No.148/2024.

Senior Civil Judge & JMFC, Sedam.

ORDER ON I.A.NO.9 U/SEC.151 OF CPC

The plaintiffs have filed this application U/Sec.151 of CPC and sought to deposit an amount of Rs.16152942/- deposited by defendant No.18 in respect of land in Sy.No.96 of Hangnalli village by letter dated: 23.09.2024 at Inward No.687/2024 in any of the Nationalized Bank as fixed deposit.

The learned counsel for the plaintiffs has filed memo of facts and stated that on verification of records recently it is revealed that the defendant No.18 who acquired the land in suit Sy.No.96 deposited compensation amount of Rs.16152942/- with this court. This suit is pending disposal between the parties in respect of the suit land and entitlement of compensation. Therefore, if the amount remained with the court it will fetch no interest and if it is deposited in any of the Nationalized Bank it fetch interest. Further, at the time of disposal of the suit the amount can be disbursed to the parties who are held to be entitled. Hence, prays to pass necessary orders.

The defendants have not filed objections.

Perused the records and heard.

As per the direction of this court the office of this court placed the records pertaining to compensation amount deposited by the defendant No.18 and the same reveals that the defendant No.18 deposited compensation amount of Rs.16152942/- in respect of the acquisition of the land in suit Sy.No.96 by letter dated 23.09.2024 and the said amount was received by this office at Inward No.687/2024. On perusal of the office records this court find that the defendant No.18 in its letter did not mention this suit number and the amount is received by this court without mentioning this suit number. But in its letter the defendant No.18 mentioned the description of the property as land measuring 16 acres 16 guntas in Sy.No.96 of Hangnalli village Tq: Sedam. The same reveals that the amount received by letter dated 23.09.2024 at Inward No.687/2024 pertains to this suit only. If the above amount is remained with the court it will not fetch any interest and it will remain as idol. On the other hand if the above amount is deposited in any of the Nationalized Bak as fixed deposit it will fetch interest and ultimately it will benefit the party who will be held as entitled for

the compensation amount. Therefore, if amount is deposited as FD it will not prejudice either the plaintiffs or defendants and it will also not cause any loss to any of the parties. Instead it will benefit the successful party. Hence, the following;

ORDER

The application filed by the plaintiffs U/sec.151 of CPC is hereby allowed.

Office to deposit compensation amount of Rs.16152942/- deposited by the defendant No.18 by its letter dated 23.09.2024 and received by this court at Inward No.687/2024 in the Union Bank of India Sedam Branch as fixed deposit for a period of 3 years in the name of this court i.e., Senior Civil Judge & JMFC, Sedam. Further, office to collect FD receipt from the Union Bank of India Sedam Branch and keep the same in safe custody of this Court.

Senior Civil Judge & JMFC, Sedam.

For cross of PW.1.

Call on 12.06.2026.

Senior Civil Judge & JMFC, Sedam.