

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO. 11011 OF 2018
IN FA/323/2008

SHIVRAJ RAMA KOTSULWAR AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants : Mr. Pawar Suryakant S.
Mr. PG Borade, AGP for Respondent No.1.

CORAM : P.R.BORA, J.

DATE : 4th September, 2018.

PER COURT :

1. Heard Shri Pawar, learned counsel for applicants. The learned Counsel submits that First Appeal No. 323 of 2008 filed by Shivraj Rama Kotsulwar and others was amicably settled in Lok Adalat held on 9th April, 2016 and in pursuance of the Award passed by the Panel of Lok Adalat, the State Government deposited the amount of compensation in this Court on 14th June, 2018. The learned Counsel further submits that the original claimant viz. Vilash Janardhan Kotsulwar died during pendency of the appeal in this Court,

however, his legal heirs were not taken on record. The learned counsel submits that vide the present application, the applicants are praying for taking the names of legal heirs of deceased Vilash on record and to disburse the amount of compensation, as has been deposited by the State Government to all the applicants according to their shares.

2. The applicants have placed on record a copy of the Award passed by the Panel in the Lok Adalat as well as the letter from the acquiring body in the name of Registrar for deposit of the amount of compensation in pursuance of the settlement of the matter in the Lok Adalat. In view of the submissions so made, following order is passed, -

ORDER

i. Legal heirs of deceased Vilash a/o Janardhan Kotsulwar (original appellant No.2 in the appeal) as are mentioned in the application, be taken on record. Necessary amendment be

carried out forthwith.

ii. The amount of compensation deposited by the respondents in this Court be remitted according to their respective shares in favour of the claimants including the present applicants in terms of the compromise arrived at between the parties on 9th April, 2016 along with interest, if any, accrued thereon.

iii. The Civil Application stands disposed of.

(P.R.BORA)
JUDGE

bdv/