



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

CIVIL APPLICATION NOS. 2888 AND 2889 OF 2018 AND
FIRST APPEAL NO. 311 OF 2015 (D)

VIDC

..vs..

Raju @ Rajendra Bhimrao Tokse

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

Court's or Judge's orders

Shri S.K. Bhoyar, Advocate for the appellant.

Shri N.G. Moharir, Advocate for the legal heirs of respondent
no.1.

Ms Kavimandan, AGP for the State.

CORAM: SANDIPKUMAR C. MORE, J.

DATE : 20/01/2025.

It appears that under order dated 15.01.2020 passed in Civil Application No.3892/2019 filed in First Appeal No.311/2015, this Court had referred the matter to the learned Mediator to explore the possibility of amicable settlement among the respondent no.1 and the intervenors, who also claiming to be the legal heirs of deceased Bhimrao Tokse. Further, it appears that the matter could not be settled and the learned Mediator also sent the report dated 11.03.2021 to that effect.

2. The learned Counsel for the respondent no.1/Claimant as well as intervenors submit that a Partition Suit among all the legal representatives of deceased Bhimrao Tokse in respect of all the ancestral properties, is going on before the Civil Judge, Junior Division, Arvi bearing Regular Civil Suit No.4/2018. They claimed that the present suit property under acquisition and the compensation granted thereof, is also subject matter of the said suit.

3. Under such circumstances, the entitlement of legal heirs of deceased Bhimrao to the present compensation amount, will be decided in the said suit, only by competent Civil Court.

4. As such, the further withdrawal of the compensation amount lying with the Court is, now, subjected to the final outcome in the aforesaid Civil Suit.

5. All the pending applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

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