

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**907 CIVIL APPLICATION NO.3605 OF 2020 IN
CIVIL APPLICATION NO.8535 OF 2019 IN FIRST
APPEAL NO.2602 OF 2017**

**TUKARAM BAPU MAGAR (DIED) THR LRS BHAMABAI
AND ORS
VERSUS
THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT
CORPORATION AND ORS**

...
Mr.P.S. Chavan, Advocate for applicants
Mr.A.M. Gaikwad, Advocate respondent no.1.
Mr.P.M. Kulkarni, AGP for respondent-State.

...
CORAM : V.L.ACHLIYA,J.
DATE : 11.12.2020

ORAL ORDER :

. The applicants have taken out this application seeking permission to withdraw the amount falling to the share of deceased applicant no.1-A – Bhamabai Tukaram Magar for the reasons set out in detail in the application.

2. It is the contention of the applicants that after passing of order dated 26.11.2019, the applicant no.1-A (i.e. respondent no.1-A in Appeal) has died leaving behind the applicant nos.1-B, 1-C, 2 and 3 as her heirs. In that view, the applicant

nos.1-B, 1-C, 2 and 3 are entitled to receive the compensation amount permitted to be withdrawn by the deceased applicant no.1-A by suitably modifying the order dated 26.11.2019.

3. In view of death of applicant no.1-A (respondent no.1-A in Appeal) after passing the order dated 26.11.2019 and the applicants i.e. applicant nos.1-B, 1-C, 2 and 3 are brought on record as heirs of deceased respondent no.1, the amount to be payable in terms of order dated 26.11.2019 be paid to applicant nos.1-B, 1-C and 2 and 3.

4. The application is disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

SGA