

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

910 WRIT PETITION NO.7811 OF 2020

**SHANKAR GANPAT KANDAGALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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**Advocate for Petitioners : Sanjaykumar Chavan
AGP for Respondents 1 to 3 : Mr.S.K.Tambe**

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**CORAM : MANGESH S. PATIL, J.
DATE : 11.12.2020**

PC. :-

Heard learned advocate for the petitioner.

2] As can be gathered, the petitioner is now seeking to modify the award passed by the Reference Court in L.A.R. No.41/2004 dated 4/12/2015 after so many years. It was a joint Reference by the petitioner and the heirs of one Onkar Sarjerao Khandagale. In paragraph no.17 the Reference Court had specifically apportioned amount of compensation amongst the L.Rs. of Onkar and the petitioner. Now the petitioner is making an attempt to modify such apportionment on the basis of a document styled as a compromise between him and Onkar dated 18/12/2002.

3] The petitioner himself was a claimant in the Reference alongwith the heirs of Onkar. The Reference Court had apportioned the amount of

compensation. Such apportionment has reached finality.

4] It is in view of such circumstances, this Court cannot go beyond the award passed by the Reference Court. No fault can be found with the order passed by the Executing Court pursuant to such award. There is no substance in the Petition.

5] The Writ Petition is dismissed in limine.

[MANGESH S. PATIL, J.]

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