

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

**90 CIVIL APPLICATION NO.197 OF 2020
IN FA/1846/2017**

SHASHIKALA NILKANTH GHOLVE AND ORS
VERSUS
G.M.I.D.C., THR ITS EX. ENGINEER AND ORS

Advocate for Applicants : Shri Shrikant Kulkarni (absent)
Advocate for Respondents : Mr.R. D. Biradar

CORAM : K.K.SONAWANE, J.

DATE: 17th February, 2020

PER COURT:-

1. When the matter is called out, no one else appeared on behalf of applicants.
2. Present application is filed seeking relief as mentioned in prayer clause-'B', which reads as under:-

"B] Nazir may be directed to equally divide the amount payable to all the six claimants/applicants and make Two payments as under:-

- 1] In the names of Gholve Shamal Nilkant, Gholve Shobha Nilkant, Gholve Shakuntala Nilkant, and
- 2] In the names of Gholve Shashikal Nilkant, Gholve Chandrakala Nilkant, Gholve Vasant Nilkant."

3. It is to be noted that the present proceeding of First Appeal came to be filed before this Court against the impugned Judgment and award passed by the learned Reference Court under Section 18 of the Land Acquisition Act, 1894, for

determination of market value of the acquired land. Therefore, issue as regards to apportionment of compensation amount amongst the claimants as per their respective shares is not amenable within the jurisdiction of this Court. Hence, application being inapt deserves to be dismissed. Accordingly, the application stands dismissed. No order as to costs.

(K.K.SONAWANE)
JUDGE

SPT