

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

919 CIVIL APPLICATION NO. 4878 OF 2021
IN FAST/15347/2019

ANKUSH KISANRAO PHAWADE (DIED) THR LRS GANPATI AND
ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
LATUR AND OTHERS

...

Advocate for applicants : Mr. L. C. Patil
AGP for Respondents-State : Mr. S. R. Yadav

....

**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 28/09/2022.**

P. C. :

1. Heard.
2. Issue notice to respondents. The learned AGP waives notice for all the respondents.
3. The applicants, who are the legal heirs of sole claimant Ankush Kisanrao Fhawade, who admittedly died on 19/05/2011, are seeking permission to prosecute the appeal filed by them for enhancement of compensation.
4. The record shows that deceased Ankush was the sole claimant below in the reference court and before filing this appeal, he died and therefore, the applicants were constrained to file this appeal. Under such circumstances, the applicants being the legal heirs of sole deceased claimant, can be permitted to prosecute the appeal being the legal heirs of deceased Ankush Kisanrao

Phawade. As such, the application stands allowed in terms of prayer clause A and B. Accordingly, the application is disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-