

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

930 CIVIL APPLICATION NO.5251 OF 2022
IN FA/1190/2011

BHAUSAHEB YADAV MANDHARE (DIED)
LRS MATHURABAI AND ANOTHER
VERSUS
THE BRANCH MANAGER, UNITED INDIA INSURANCE CO. LTD.,
BRANCH SHRIRAMPUR AND OTHERS

...
Advocate for Applicants : Mr. Vithal H. Dighe.
Advocate for Respondent No.1 : Mr. A. B. Gatne.
...

CORAM : **SHRIKANT D. KULKARNI, J.**
DATE : 07th April, 2022.

P.C.:

. It is an application to bring on record legal heirs in a decided appeal.

2 Heard Mr. Dighe, learned counsel for applicants and Mr. Gatne, learned counsel for respondent No.1/insurance company.

3 It is revealed during the course of argument that the First Appeal No.1190 of 2011 was preferred by the original claimant for enhancement of compensation. During the pendency of appeal, the original claimant/appellant died on 7th December, 2020. The appeal came to be partly allowed vide judgment and order dated 6th December, 2021. As a result of it, the award seems to be in favour of a dead person. The legal question comes how this application can be

entertained. The question is about withdrawal of compensation amount. The applicants may obtain legal heirship certificate from the competent Court and may apply and avail appropriate legal remedy in this regard.

4 Having regard to the above observations, this application stands disposed of.

[SHRIKANT D. KULKARNI, J.]

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