

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9480 OF 2022
IN FIRST APPEAL NO. 115 OF 2004

MAKBUL AHMAD SYED (DIED) THR LRS JAIBUNISA AND
OTHERS
VERSUS
THE NEW INDIA ASSURANCE COMPANY LTD THR ITS
AUTHORISED OFFICER AND OTHERS

...
Advocate for Applicants : Mr. P.P. Patil h/f. Mr. H.B. Azad
....

CORAM : S.G. DIGE, J.
DATE : 19th August, 2022

ORDER :

- . Heard learned Counsel for applicants.
2. Learned Counsel for applicants submit that, this Court (Coram : T.V. Nalawade, J.) by order dated 23rd November, 2015 dismissed the appeal filed by original respondent No.3 i.e. The New India Assurance Company Ltd. During the pendency of appeal original claimant – Makbul Ahmad Syed is died but this fact was not brought to the notice of this Court. The respondent No.1 has deposited compensation amount before this Court by the order dated 23rd November,

2015. Applicants are heirs and legal representatives of the deceased Makbul. After filing this application applicant No.1-B Nabab Makbul Syed and No.1-D Papa Makbul Syed are died hence, requested to allow remaining applicants to withdraw the amount deposited before this Court.

3. I have heard learned Counsel for applicants.

4. Perused Heirship certificate issued by Grampanchayat Khadke and affidavit given by Jebuneesa Makbul Syed before Tahsildar, Newasa. Applicants are claiming that, they are legal heirs of deceased Makbul Ahmad Syed. Heirship certificate issued by Grampanchayat and affidavit given before Tahsildar also shows that, applicants are the legal heirs of deceased Makbul Ahmad Syed. Hence, I pass the following order :-

ORDER

- (a) Application is allowed in terms of prayer clause 'B'.
- (b) The Civil Application is disposed of.

[S.G. DIGE, J.]