

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

**917 CIVIL APPLICATION NO.13631 OF 2022
IN FAST/32027/2019**

**RAMHARI LIMBAJI SHINDE
VERSUS
THE G.M.I.D.C., THR ITS EX. ENGINEER, MINOR IRRIGATION
DIVISION, OSMANABAD AND ORS**

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Advocate for Applicant : Mr. D. A. Madake
Advocate for Respondent No.4 : Mr. V. V. Ingale
Advocate for Respondent No.1 : Mr. R. B. Gaikwad

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

P. C. :

1. Heard rival submissions.
2. The applicant - intervener is seeking participation in the instant appeal on the ground that he is also having share in the compensation in respect of acquired land.
3. However, it appears that the land was of Shriram Devassthan Kasbe Tadwale. The 7/12 extract of the said land indicates entry of present applicant alongwith other co-sharer including Yemunabai Limba Shinde i.e. present respondent No.4. It is alleged that the compensation amount in respect of the said land was distributed equally between Shriram Devassthan and Yemunabai. Thus, it seems that if the applicant is claiming any share in the compensation regarding such land, then he will have to file civil suit before the competent court to establish his right.

Even otherwise also the present appeal is filed by the acquiring body and therefore, the applicant is not necessary party considering the nature of present litigation. Accordingly, the application is rejected and disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-