

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO.1087 OF 2022

IN

FIRST APPEAL NO.129 OF 2022

(Rajendrakumar s/o Chotelal Jain (dead), Ashish s/o Rajendrakumar Jain & ors. Vs. Union of India)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.D. Dharmadhikari, Advocate for the appellants.

CORAM : M.S. KARNIK, J.

DATED : MAY 05, 2022.

Heard.

2. This is an application for modification of judgment dated 14/02/2022 passed by this Court.

3. It is submitted that as on the date of the judgment, the claimant No.1 Rajendrakumar s/o Chotelal Jain had already expired. It was directed that 40% amount be deposited in the bank account of claimant No.1. As claimant No.1 has expired and his legal heirs are already on record, the 40% amount be equally distributed amongst claimant Nos.2 to 5.

4. Paragraph No.19 of the judgment dated 14/02/2022 will now read as :

“Under these circumstances and in view of discussion supra, the Appeal is allowed. The impugned judgment is quashed and set aside. The Respondent is directed to pay to the claimant compensation of ₹8,00,000/-. The claimants to furnish individual bank account to the respondent within two weeks. The 40% amount of compensation in respect of the share

of claimant No.1-Rajendrakumar s/o Chotelal Jain be equally distributed in favour of appellant nos.2 to 5 and balance amount to the extent of 15% each in the account of claimant nos.2 to 5 within a period of eight weeks from the date of this order.”

5. Rest of the order will stand.
6. The civil application is disposed of.

(M.S. KARNIK, J.)

**DB*