

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

979 WRIT PETITION NO.12960 OF 2018

**ANNA BALA CHAVHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioners : Mr. Girish K. Thigale (Naik)
AGP for Respondent – State : Mr. S.B. Pulkundwar
Advocate for Respondent Nos.6 to 9 : Mr. M.U. Shelke
...

**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 05-04-2023

PER COURT :

. Perused note sheet on the file of respondent no.5 in relation to the claim for referring the issue of apportionment to the Civil Court.

2. It appears that respondent no.5 - authority on 12th September, 2018 formed an opinion as to referring the issue as regards apportionment of compensation to the Civil Court, however subsequent thereto in view of the review preferred by respondent nos. 6 to 9 the matter is kept in abeyance as could be noted from the note sheet dated 26th December, 2018.

3. As a sequel of above, the proceedings are still pending with respondent no.5 as to whether the apportionment is to be

ordered in the matter or not.

4. In this background, petitioner and respondent nos. 6 to 9 are directed to appear before respondent no.5 on 24.04.2023, who shall take final decision in the matter as to whether the claim for apportionment is to be referred to the competent Civil Court within a period of four weeks thereafter. It shall be obligatory for respondent no.5 to communicate its decision to petitioner and respondent nos. 6 to 9.

5. With the above observations, the petition stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)

GGP