

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

CIVIL APPLICATION (CAF) NO.897 OF 2023
IN
FIRST APPEAL NO.335 OF 2020 (D)

Vazir s/o Suleman Teli (Dead) and others

Vs.

The State of Maharashtra and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Jafar Ali A. Malnas, Advocate for appellants.

Mr. K. L. Dharmadhikari, AGP for respondents/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 24/04/2023

1. Present application is filed for seeking permission for withdrawal of the amount.
2. The appeal is partly allowed by judgment dated 05.03.2020. As per contention of the appellants, appellant Nos.1 to 3 who are original claimants are reported to be dead. The appellant No.3 is the legal heir of appellant Nos.1 and 2. She is also dead and her legal heir Nos.3(a) to 3(d) were brought on record after disposal of the appeal. The appellant No.3(a) is also reported to be dead.
3. In view of that, the legal heir of appellant No.3(a) namely, Zuber Naushad @ Raju Tagale is also entitled to receive the compensation. The deponent Zuber Naushad @ Raju Tagale filed an affidavit in support of the said contention.

4. In view of that, appellant Nos.3(b) to 3(d) and legal heir of appellant No.3(a) are permitted to withdraw the amount of compensation along with accrued interest on due identification and verification as per their respective shares.

5. Civil Application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate