



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

CIVIL APPLICATION NO. 783 OF 2022
IN FA/2396/2023

GOVIND JAGANNATH KAWADE (DIED) THR LRS INDUBAI (DIED) THR
LRS MAHADEV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, OSMANABAD AND
OTHERS

...
Advocate for Applicant : Mr. Pravin B. Rakhunde
AGP for Respondents No.1 and 2 : Mr. A. S. Shinde
Advocate for Respondent No.3 : Mr. S. C. Arora
Advocate for Respondent No.4 : Mr. D. A. Madake

...
WITH
CIVIL APPLICATION NO. 14987 OF 2019 IN FA/2396/2023
...

CORAM : S. G. MEHARE, J.

DATE : 19-01-2024

PER COURT :-

1. Heard the learned respective counsels.
2. The appellant/acquiring body has preferred appeal against the impugned judgment and award. The claimants were sisters and two brothers. The amount of compensation has been deposited. There was a dispute between brothers about share.
3. Considering these facts, the application deserves to be allowed partly. Hence, the order;

- i) The application is partly allowed.
- ii) The applicants are entitled to take 1/8th share per strip from the 75% of the amount deposited with accrued interest, on furnishing an undertaking that they will re-deposit the amount, if the judgment and order is reversed.

(S. G. MEHARE)
JUDGE

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