

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 351 OF 2021
IN
FIRST APPEAL NO. 705 OF 2023**

Shashikant Vithoba Lokhande And Ors. ...Applicants
Versus
State Of Maharashtra And Ors. ...Respondents

Mr. Tanaji Mhatugade, for the Applicants
Mr. A.R. Patil, Addl. G.P. for the Respondent-State.

**CORAM : M.M.SATHAYE J.
DATE : 29th JANUARY 2024**

PC. :

1. Heard learned counsel for the parties. This is an application with prayer clause (A) for allowing the Applicants to make / amend the claim in the Appeal as stated in paragraph nos. 18 and 19 of the Application. Perusal of paragraph nos. 18 and 19 would show that the Applicants are seeking enhancement in the claim.

2. Without expressing any opinion about entitlement of the Applicants about enhanced claim or basis therefor, Applicants are permitted to amend their claim in the Appeal. Amendment to be carried out within a period of two weeks from today.

3. So far as prayer clause (B) is concerned, it reads as under:

“That during the pendency of the present First

Appeal this Honourable High Court be pleased to direct the Respondents to deposit the amount of enhance compensation amount of Rs.6,34,412/- along with statutory benefits forthwith before this Honourable Court.”

4. From bare reading of said prayer clause (B), it is obvious that at this stage, during pendency of the Appeal, no such directions can be given to the Respondents without their being adjudication. Hence prayer clause (B) is rejected.

5. Interim Application is disposed of accordingly. All concerned to act on duly authenticated/digitally signed copy of this order.

[M.M.SATHAYE,J.]