



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

**CIVIL APPLICATION NO. 4364 OF 2025
IN FA/591/1992**

**VITHALDAS DHONDIRAM KABRA DIED THR LRS KAUSHALYABAI
KABRA DIED THR LRS WALCHAND KABRA AND ORS**

VERSUS

**THE STATE OF MAHARASHTRA THR. COLLECTOR
OSMANABAD AND ORS.**

...
Advocate for Applicants : Mr. Rathii Swapnil S.
AGP for Respondents/State : Mr. S.M. Ganachari

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 17th APRIL 2025

PER COURT :

. Applicants are seeking direction for disbursement of 1/6 share each from the amount which is lying in the High Court.

2. The present Applicants along with Respondent Nos. 2 and 3 had preferred First Appeal No.591/1992. It was disposed of by common judgment and order dated 09.06.2009. Amount deposited by the acquiring body in High Court remained to be disbursed. Applicants and Respondent Nos. 2 and 3 are entitled to receive the amount equally. Its matter of record that Applicant No.1 – Kaushalyabai died and she is survived by Applicant Nos. 2 to 5 and Respondent Nos. 2 and 3. As Respondent Nos. 2 and 3 are not available for the signature for filing application, they are impleaded as Respondents. Applicants are entitled to 1/6 share each by keeping

the shares of Respondent Nos. 2 and 3 in time.

3. Learned AGP does not have any serious objection.
4. The Civil Application is allowed in terms of prayer clause 'B'.
5. It is clarified that if the Respondent Nos. 2 and 3 approached this office, they be disbursed the balance amount.

SHAILESH P BRAHME
JUDGE

NATEEB..