



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

44 FIRST APPEAL NO. 835 OF 2007

SHAMRAO KONDIBA KAMBLE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Appellant : Mr. A. B. Kale.
AGP for Respondent / State : Mr. S. B. Jadhav.
Advocate for Respondent No.2 : Ms. Geeta Deshpande.

...
WITH
FIRST APPEAL NO. 1409 OF 2007

WITH
CIVIL APPLICATION NO. 4674 OF 2025
IN FA/835/2007

SANGITA D/O WAMAN KAMBLE AND ANR
VERSUS
SHAMRAO KONDIBA KAMBLE AND ORS

...
Advocate for Applicant : Mr. Gaikwad Amol Ratan.

...
WITH
CIVIL APPLICATION NO. 11552 OF 2025
IN FA/835/2007

KANTABAI TUKARAM KAMBLE @ KANTABAI DEORAO JOGDANAD AND
ANR
VERSUS
SHAMRAO KONDIBA KAMBLE AND ORS

...
Advocate for Applicant : Mr. K. R. Choudhari, h/f Mr. S. B. Solanke.

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 15th December, 2025.

P.C.:

CIVIL APPLICATION NO. 4674 OF 2025

1 This is an application filed by the grand-daughters of the claimant / Tukaram Kamble stating that they are grand-daughters of claimant / Tukaram Kamble and they have rights to claim the compensation. Therefore, they prayed for adding them in First Appeal No.835 of 2007 as respondent.

2 Perused the application. Heard both the sides.

3 Considering the amendment of 2005 in the Hindi Succession Act, 1956 particularly Section 6 of the said Act, the coparcenary legal rights are accrued to the grand-daughter for claiming the partition of land as well as compensation amount of its acquisition. Therefore, the application deserves to be allowed in the interest of justice, as the applicants have right / interest in the acquired property. The application is allowed in terms of prayer clauses (B). The appellant is directed to carry out amendment in First Appeal No.835 of 2007 within three days from today. The civil application stands disposed of.

CIVIL APPLICATION NO. 11552 OF 2025

4 This is an application filed by the daughters of appellant No.3 / Tukaram Kamble, stating that they are daughters of claimant / Tukaram Kamble and they have rights to claim the compensation.

Therefore, they prayed for adding them in First Appeal No.835 of 2007 as respondents.

5 Perused the application. Heard both the sides.

6 Considering the amendment of 2005 in the Hindi Succession Act, 1956 particularly, Section 6 of the said Act, the coparcenary legal rights are accrued to the daughter also for claiming the partition of land as well as compensation amount of its acquisition. Therefore, the application deserves to be allowed in the interest of justice, as the applicants have right / interest in the acquired property. The application is allowed in terms of prayer clauses (B). The appellant is directed to carry out amendment in First Appeal No.835 of 2007 within three days from today. The civil application stands disposed of.

7 In First Appeal No.835 of 2007 and First Appeal No.1409 of 2007, heard the learned Advocates for both the sides at length. However, it is necessary to give an opportunity to the added respondents to argue on their shares.

8 List both the appeals on 19th December, 2025.

[SANJAY A. DESHMUKH, J.]