



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 CIVIL APPLICATION NO. 11000 OF 2025
IN FA/539/2019

MANDABAI ARJUN BHOGADE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR AND OTHERS

...

Advocate for Applicant : Mr. Jayabhar Dattatraya R.

AGP for Respondents : Mr. N.D. Raje

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35 CIVIL APPLICATION NO. 11052 OF 2025
IN FA/543/2019

SARJERAO BHAU NIMSE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. Jayabhar Dattatraya R.

AGP for Respondents: Mr. B.A. Shinde

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CORAM : SHAILESH P. BRAHME, J.

DATE : 06.10.2025

PER COURT :

The applicants are praying for disbursement of the amount after disposal of their first appeals. It is candidly disclosed by the learned counsel for the applicants that applicant No. 2 Bhaskar Bhau Nimse in the Civil Application No. 11052/2025 is no more and respondent nos. 2A to 2C are his legal heirs. A death certificate is also enclosed to the application.

2. Both appeals are decided by common judgment and order dated 06.08.2024. The Acquiring Body had already deposited the amount in this Court, which remained to be disbursed at the time of final disposal of the appeals. I find no impediment in permitting the applicants to receive the

amount with accrued interest.

3. In First Appeal No. 543/2019 appellant no. 2 Bhaskar is no more. By Civil Application No. 11052/2025 a composite prayer is made for bringing his legal heirs on record. The cause of action survives against them.

4. Both the Civil Applications are allowed. The applicants are permitted to receive the amount with accrued interest lying in this Court in respective appeals. Applicants no. 2A to 2C are allowed to be substituted and allowed to receive the amount along with other claimants in first appeal No. 543/2019.

(SHAILESH P. BRAHME, J.)

mkd/-