



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

28 CIVIL APPLICATION NO. 11803 OF 2025  
IN FA/3049/2024

BHANUDAS SAKHARAM BHOSALE DIED THROUGH LRS 1  
MUDRIKABAI BHANUDAS BHOSALE AND ORS  
*VERSUS*  
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR  
AND ORS

WITH FIRST APPEAL NO. 3048 OF 2024 WITH CIVIL  
APPLICATION NO. 11804 OF 2025 IN FA/3049/2024 WITH  
CIVIL APPLICATION NO. 11805 OF 2025 IN FA/3050/2024

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Advocate for Applicants : Ms. S. A. Kale h/f Mr. Ajeet B. Kale.  
AGP for Respondents-State : Mrs. M. N. Ghanekar.  
Advocate for Respondent No.3 : Mrs. Vaishali S. Swami h/f Mr.  
M. C. Swami.

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CORAM : SHAILESH P. BRAHME, J.  
DATE : 04.11.2025

PER COURT :-

Civil Application No.11804 of 2025

1. Applicant prays for condonation of delay, setting aside abatement and bringing legal heirs of sole claimant on record.
2. The cause of action survives against heirs of the deceased claimant. They are necessary parties. The delay needs to be condoned.
3. Civil application is allowed in terms of prayer clauses "B", "C" and "D1".

4. Both parties shall be at liberty to carry out necessary amendment.

**Civil Applications for withdrawal**

5. Applicants are soliciting withdrawal of amount on the ground of parity.
6. The Co-ordinate Bench permitted similarly situated claimants to receive 75% of the amount with accrued interest on furnishing undertaking. The same course needs to be followed in the present appeals also.
7. Civil applications are allowed permitting the applicants to receive 75% with accrued interest on furnishing undertaking.
8. Balance amount shall be invested in nationalize bank.

(SHAILESH P. BRAHME, J.)

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