



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13561 OF 2024
IN
FIRST APPEAL st. NO. 25116 OF 2024

The Executive Engineer,
Hatavane Kalva Vibhag.

...Applicant.

Versus

Prabhakar Narayan Dharkar
Since deceased Thr. L.Rs. and Others.

...Respondents.

Mr. Prajwal Thorat i/b Mr. Shakuntal Wadekar for the Applicant.
Ms. Deepa Punde i/b Mr. Sachin Punde for the Respondents.

Coram : Sharmila U. Deshmukh, J.
Date : March 10, 2025.

P. C. :

1. Interim Application has been preferred by the beneficiary body seeking leave to file Appeal.
2. Learned Counsel appearing for the Applicant submits that though beneficiary body was not party to the proceedings before Reference Court, as the compensation is required to be paid by the beneficiary body, it is an aggrieved party.
3. Considering the settled position in law that beneficiary of acquisition is entitled to challenge the enhancement by way of an Appeal, learned Counsel appearing for the Respondents- Claimants

fairly did not oppose the Application.

4. In the light of above, Interim Application is allowed.

[Sharmila U. Deshmukh, J.]