



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

C.A.F. NO. 1811/2025 IN FIRST APPEAL NO. 917/2024 (D)

(DASARIBAI DULESHWAR NISHAD & OTHERS *VERSUS* UNION OF INDIA)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms Sumesha Chaudhari, counsel for the applicants.
Ms Neeraja Chaube, counsel for the non-applicant.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : NOVEMBER 21, 2025

This is an application filed by the applicants seeking direction to grant share of deceased appellant no.4 who died during pendency of the appeal.

2. It is pointed out that the appeal is finally decided by judgment dated 11.12.2024 and the appellants are held entitled for the amount of compensation. It is submitted that at the time of disbursal of compensation, it was revealed that the fact of death of appellant no.4 was not pointed out to the Court. It is submitted that the amount of compensation falling to the share of deceased appellant no.4 needs to be released in favour of his wife Kevra Santram Nishad, who is arrayed as appellant no.5.

3. The learned counsel for the non-applicant does not dispute the position that the appellant no.5 is the wife of deceased appellant no.4 and the share of appellant no.4 need to be given to the appellant no.5

4. In view of this, the application is allowed. The appellant no.5 is entitled to receive the amount falling to the share of deceased appellant no.4. Accordingly, the non-applicant is directed to release the amount of share of the appellant no.4 in favour of the appellant no.5.

5. The civil application is disposed of in aforesaid terms.

(PRAFULLA S. KHUBALKAR, J.)