

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13009 OF 2025
IN WP/2431/2025

Karim Papabhai Shaikh And Others

VERSUS

Bismilla Hanif Shaikh And Others

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Advocate for Applicant : Mr. Syed G.R.

Advocate for Respondent Nos.1 to 4 : Mr. Y.D. Kale

Advocate for Respondent No.6 : Mr. S.V. Kulkarni

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : APRIL 23, 2026

PER COURT :-

1. Mr. Syed, learned advocate appearing for applicants submits that there is ambiguity in order dated 28.07.2025 passed in Writ Petition No.2431 of 2025. He submits that applicants are legal heirs of original claimant nos.5 and 6 and, therefore, applicants are held entitled to receive compensation that falls to share of original claimant nos.5 and 6. The Tribunal is erroneously interpreting order passed by this Court and, therefore, clarification order may be passed.

2. Perusal of para 7 of order dated 28.07.2025 shows that this Court has considered relevant aspects of matter without insisting upon factor of dependency. Original claimant nos.1 to 4 were real dependents of deceased. Therefore, they are considered entitled for equal share even in compensation that fell to share of claimant nos.5 and 6 along with applicants. The interpretation adopted by Tribunal that all

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claimants and applicants would have equal share in compensation falling to share of original claimant nos.5 and 6, is correct. Therefore, application for clarification need not be entertained. Hence, application stands dismissed.

(S.G. CHAPALGAONKAR, J.)

Mujaheed//