



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

38 CIVIL APPLICATION NO. 2872 OF 2026

IN FA/2061/2025

**KASHINATH BABARAO JADHAV DIED THR LRS SHESHIKALA
KASHINATH JADHAV AND ORS.**

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR AND ORS.

WITH CIVIL APPLICATION NO. 2873 OF 2026

IN FA/2061/2025

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Advocate for Applicants : Mr. Patil Laxmikant C.

AGP for Respondent/s-State : Mr. S. N. Morampalle.

Advocate for Respective Respondent/s : Mr. Gaikwad Anil M.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 13.03.2026

PER COURT :-

1. Heard both sides.
2. Applicants seek to withdraw amount of Rs.62,86,387/-.
In similarly situated matter vide order dated 06.01.2026, this Court permitted the claimants to receive 50% of the amount with accrued interest on furnishing undertaking and 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. I proposed to adopt the same course.
3. Civil application is partly allowed permitting the applicants/claimants to withdraw 50% of the compensation

amount with accrued interest on furnishing undertaking and 25% of the amount of compensation with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

4. The balance amount shall be invested in the nationalized bank.

Civil Application for L.Rs.

5. Appellants seek to condone delay of 2891 in setting aside abatement and bringing legal heirs of Kashinath Babarao Jadhav on record.

6. The cause of action survives as against the legal heirs of the deceased. They are necessary parties. The delay is not intentional. The delay is condoned, abatement is set aside. Leave is granted to bring legal heirs of the deceased on record.

7. Civil application is allowed.

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

(SHAILESH P. BRAHME, J.)

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vmk/-