



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3915 OF 2026
IN CA/212/2026 IN WP/14057/2024

Narayan S/o Dhondiba Alias
Dhondiram Mhaske (Dead)
Through his LR
Dilip Vitthalrao Mhaske

...Applicant

Versus

The Commissioner & Ors

...Respondents

- Mr. A. A. Nimbalkar, Advocate for the Applicant
- Mr. S. N. Kendre, AGP for the Respondent/State
- Ms. S. G. Mapari, Advocate for the Respondent No. 1

CORAM : S. G. CHAPALGAONKAR, J
DATE : APRIL 20, 2026

PC :

1. By this Application, Applicant seeks to recall order dated 16th January, 2026 passed by this Court, whereby Application for bringing LRs of sole Respondent was allowed.

2. Mr. Nimbalkar, learned Advocate appearing for Applicant, submits that Writ Petition No. 14057 of 2024, which was filed by Respondent Corporation against order passed by Industrial Court in Revision (ULP) No. 6 of 2018, has been dismissed by the order dated 20th August, 2025. While dismissing Revision of Respondent Corporation, directions were given to deposit amount of compensation along with interest with Registry of this Court. Accordingly,

Respondents have deposited amount, however, Respondent in Writ Petition i.e. Narayan Dhondiba Mhaske expired on 1-10-2025. Therefore, Civil Application No. 212 of 2026 was filed before this Court for bringing his LRs on record. This Court allowed said application. However, inadvertently, copy of this Application was not served upon Respondent Corporation. Now, Corporation has raised concern that all legal heirs of deceased were not made party in Application. In light of aforesaid objection, he seeks recalling of order and restoration of Civil Application No. 212 of 2026 for further hearing in accordance with law.

3. This Court finds that Application for bringing LRs was filed in disposed Writ Petition. Apparently, all LRs of deceased are not arraigned as an Applicants. Further, copy of Application was not furnished to Advocate appearing for Respondent Corporation. Considering the fact that substantial amount of compensation which was receivable by deceased is deposited in this Court, it would be appropriate that all LRs of deceased are on record for passing further orders. Hence, Civil Application No. 3915/2026 is allowed in terms of prayer clause 'B', subject to payment of cost of Rs. 2000/- (Rupees Two Thousand Only) to be paid to Advocates' Bar Library, High Court of Bombay, Bench at Aurangabad within two weeks.

(S. G. CHAPALGAONKAR, J.)

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