



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

85 CIVIL APPLICATION NO. 4630 OF 2026
IN FA/2477/2024

LAHU GOVIND PHAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
LATUR

WITH CIVIL APPLICATION NO. 7916 OF 2024 IN
FA/2485/2024 WITH CIVIL APPLICATION NO. 7919 OF 2024
IN FA/2484/2024 WITH CIVIL APPLICATION NO. 4632 OF
2026 IN FA/2486/2024 WITH CIVIL APPLICATION NO. 4644
OF 2026 IN FA/2481/2024 WITH CIVIL APPLICATION NO.
7910 OF 2024 IN FA/2477/2024 WITH CIVIL APPLICATION
NO. 7912 OF 2024 IN FA/2487/2024 WITH CIVIL
APPLICATION NO. 7931 OF 2024 IN FA/2479/2024 WITH
CIVIL APPLICATION NO. 4633 OF 2026 IN FA/2479/2024
WITH CIVIL APPLICATION NO. 7921 OF 2024 IN
FA/2483/2024 WITH CIVIL APPLICATION NO. 7923 OF 2024
IN FA/2482/2024 WITH CIVIL APPLICATION NO. 7925 OF
2024 IN FA/2481/2024 WITH CIVIL APPLICATION NO. 7927
OF 2024 IN FA/2480/2024 WITH CIVIL APPLICATION NO.
7929 OF 2024 IN FA/2478/2024 WITH CIVIL APPLICATION
NO. 4634 OF 2026 IN FA/2479/2024 WITH CIVIL
APPLICATION NO. 4635 OF 2026 IN FA/2480/2024 WITH
CIVIL APPLICATION NO. 4636 OF 2026 IN FA/2482/2024
WITH CIVIL APPLICATION NO. 4637 OF 2026 IN
FA/2483/2024 WITH CIVIL APPLICATION NO. 4638 OF 2026
IN FA/2484/2024 WITH CIVIL APPLICATION NO. 4639 OF
2026 IN FA/2485/2024 WITH CIVIL APPLICATION NO. 4641
OF 2026 IN FA/2487/2024 WITH CIVIL APPLICATION NO.
4643 OF 2026 IN FA/2478/2024 WITH CIVIL APPLICATION
NO. 4631 OF 2026 IN FA/2486/2024 WITH CIVIL
APPLICATION NO. 7914 OF 2024 IN FA/2486/2024

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Advocate for Applicants : Ms. L. R. Thakur h/f Mr. Patil
Laxmikant C.

AGP for Respondent/s-State : Mr. G. O. Wattamwar.
Advocate for Respondent No.3 : Mr. Ranjana D. Reddy.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 21.04.2026

PER COURT :-

1. Heard the respective sides.
2. Applicants are seeking withdrawal of amount deposited by the respondent/acquiring body for the reasons stated in the applications.
3. It is pointed out by learned counsel appearing for the applicants that instead of depositing entire amount with accrued interest, only 50% amount has been deposited in each matter.
4. Learned counsel Mr. Reddy appearing for the acquiring body submits that time is required to deposit further amount so as to comply the order passed by this Court.
5. Time is granted to the respondent to deposit the amount.
6. It is clarified that earlier order of depositing the amount shall be complied with within further period of eight (8) weeks from today.

7. As only 50% of the amount is deposited, there is no difficulty in permitting the applicants/claimants to receive the amount with accrued interest on furnishing undertaking.

8. By interim arrangement, applicants are permitted to receive 50% amount on furnishing undertaking to the satisfaction of the Registrar (Judicial) which shall be without prejudice to their claim to receive further amount.

9. All applications kept pending.

Civil Applications for L.Rs.

10. Applicants seek to condone delay of 805 and 5193 days in setting aside abatement and bringing legal heirs of Govind Vyankoba Phad and Usman Sayyad Ali on record, in respective applications.

11. The cause of action survives as against the legal heirs of the deceased/claimants. They are necessary parties. No malafides can be inferred on the part of the applicants to cause delay in preferring appeals belatedly. The delay is condoned, abatement is set aside. Leave is granted to substitute the deceased by legal heirs.

12. In Civil Application No.4633 of 2026, additionally, it is brought to my notice by the applicant that heirs could not be brought on record before the Reference Court because the Court decided the matters by common judgment and award. The legal heirs are illiterate and not aware of the implication of the precedence. This Court has to adopt the pragmatic and sympathetic approach because it is dealing with the matters pertaining to the beneficiary legislation.

13. Both civil applications are allowed accordingly.

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

(SHAILESH P. BRAHME, J.)

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vmk/-