



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

**CIVIL APPLICATION NO.1194 OF 2024
IN FAST/2496/2021 WITH CIVIL APPLICATION NO. 1780 OF
2021 IN FAST/2496/2021**

**BALU KANHU WAMAN AND ORS
VERSUS
THE M.K.V.D.C. THR EX. ENGINEER, MED. PRO. OSMANABAD
AND ANR**

**AND
CIVIL APPLICATION NO. 1195 OF 2024
IN FAST/2855/2021 WITH CIVIL APPLICATION NO. 1900 OF
2021 IN FAST/2855/2021**

**SATISH ANNA WAMAN AND ORS
VERSUS
THE M.K.V.D.C. THR EX. ENGINEER, MEDIUM PRO.
OSMANABAD AND ANR**

**AND
CIVIL APPLICATION NO. 1196 OF 2024
IN FAST/2555/2021 WITH CIVIL APPLICATION NO. 1839 OF
2021 IN FAST/2555/2021**

**TUKARAM SHIVRAM WAMAN (DIED) THR LRS POPAT
TUKARAM WAMAN AND ORS
VERSUS
THE M.K.V.D.C., THR EX. ENGINEER, MED. PRO.
OSMANABAD AND ANR**

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Advocates for Applicants : Mr. Shekade Shashikant E.
AGPs for Respondents/State : Ms. K. R. Jamdade, Ms. R. R.
Tandale, Mrs. M. L. Sangit, respectively.
Advocate for Respondent No.1 : Mr. A. M. Gaikwad.

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CORAM : S.G. MEHARE, J.

DATED : MARCH 05, 2024

PER COURT:-

1. This praecipe pertains to speaking to the minutes of order dated 09.02.2024.
2. Learned counsel for the applicants submits that initially, the amount was deposited with this Court. However, it was transferred to the Reference Court. Therefore, the direction of this Court about undertaking to the satisfaction of the Registrar (Judicial) of this Court may be deleted and instead of that, such undertaking shall be allowed to be furnished before the Reference Court.
3. In view thereof, clause (ii) of the said order is modified as follows :

“The applicants are allowed to withdraw 100% of the amount deposited with accrued interest on the undertaking to deposit the money in Court, if the impugned judgment and decree is reversed to the satisfaction of the Reference Court.”
4. The following sentence from clause (iii) be deleted :

“The Reference Court to act upon the order of this Court.”
5. Necessary corrections be carried out.
6. Praecipe accordingly stands disposed of.

(S.G. MEHARE, J.)