



IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO. 3276 OF 2024  
IN FA/4981/2017

UKHA GANA RATHOD  
VERSUS  
THE COLLECTOR AURANGABAD AND OTHERS

...  
Advocate for Applicant : Mr. Wayal Vitthal B.  
AGP for Respondents/State : Mr. S.K.Shirse  
Advocate for Respondent No. 3 : Mr. Varun V. Solshe h/f  
Mrs. Surekha Chincholkar  
...

CORAM : KISHORE C. SANT, J.

DATE : 11<sup>th</sup> JUNE, 2024.

PER COURT :

1. Heard the parties.
2. This application is filed seeking correction in the order dated 07.11.2023 passed by this Court in Group of matters pertaining to village Devhari/Pimpalwadi, Tq. Soyegaon, District Aurangabad in respect of the acquisition of the land for the project of The Minor Irrigation Tank Pimpalwadi Project. There were 20 matters in the group. It

is pointed out that First Appeal Nos. 654 of 2019, 655 of 2019 and 656 of 2019 are not from the same village and the same project. These 3 appeals are arising out of the acquisition proceedings from village Adgaon Jawale, Tq. Paithan, District Aurangabad. He submits that even in the body of the judgment in paragraph No. 5 there is reference to only 20 matters. These 3 appeals are appearing only in the title clause. There is no discussion about these appeals in the judgment. These appeals were wrongly tagged. He thus, prays for de-tagging of the First Appeal Nos. 654 of 2019, 655 of 2019 and 656 of 2019, by re-calling the order to the extent of these 3 appeals.

3. The respondents accept the said position.

4. This Court gone through the judgment. It does appears that infact only 20 appeals were in one group. These 3 appals are different from the group or earlier appeals. This Court, therefore, finds that it is necessary to allow the application for de-tagging of the First Appeal Nos. 654 of 2019, 655 of 2019 and 656 of 2019.

5. It is also necessary to recall the order passed in these 3 appeals. Considering the above, following order is passed :

**ORDER**

- a) First Appeal Nos. 654 of 2019, 655 of 2019 and 656 of 2019 are de-tagged.
- b) Order dated 07.11.2023 passed by this Court is re-called to the extent of above 3 appeals.
- c) The application stands allowed and disposed off.
- d) Office to restore the First Appeal Nos. 654 of 2019, 655 of 2019 and 656 of 2019 to its original status.

( KISHORE C. SANT )  
JUDGE

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