



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

**CIVIL APPLICATION NO. 2408 OF 2023
IN FAST/5833/2023**

Executive Engineer Nandur Madhmeshwar Canal

VERSUS

Mohammad Ibrahim Jahoor

**WITH CIVIL APPLICATION NO. 3114 OF 2025
IN FAST/5833/2023**

Mohammad Ibrahim Jahoor And Ors

VERSUS

The State Of Maharashtra Through, The Sub Divisional Officer And Anr

**WITH CIVIL APPLICATION NO. 2409 OF 2023
IN FAST/5833/2023**

Executive Engineer Nandur Madhmeshwar Canal

VERSUS

Mohammad Ibrahim Jahoor

Ms. V. S. Swami h/f Mr. M. C. Swami, Advocate for Applicant
Mr. S. N. Kendre, AGP for State

CORAM : R. M. JOSHI, J.

DATE : 28 July, 2025

PER COURT :-

1. Learned counsel for both sides unanimously submitted that in connected first appeal, this Court has condoned the delay so also allowed the respondent to withdraw 50% of the amount deposited in this Court along with accrued interest on furnishing usual undertaking and 25% of the amount with accrued interest is allowed to be withdrawn on furnishing solvent

surety/security to the satisfaction of the learned Registrar (Judicial). In view of this following order :-

Delay Condonation Application -

Application filed by the applicant for condonation of delay stands allowed for the reasons stated in the application.

Application for withdrawal of amount -

Application filed by the respondents for withdrawal of the amount stands allowed in following terms :-

- i) The Applicants are permitted to withdraw 50% of the amount deposited in this Court along with accrued interest on furnishing usual undertaking. Further 25% of the amount with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeals.

With this, the civil application for withdrawal of amount stands allowed in view of the above order.

Appeal -

1. Issue notice to the respondents. AGP waives service of notice on behalf of Respondent Nos. 1 and 2.
2. R and P be called.

(R. M. JOSHI, J.)

bsj