



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

**51 CIVIL APPLICATION NO. 4946 OF 2023
IN FA/1699/2023**

**SHANTESHWAR VISHWANATH BARBADE
VERSUS
VISHWANATH SIDRAMAPPA BARBADE AND ORS**

Mr. R. P. Adgaonkar, Advocate for the Applicant
Ms. R. R. Tandale, AGP for the Respondent/State
Mr. L. C. Patil, Advocate for Respondent No.1
Mr. A. S. Shelke, Advocate for Respondent No.4.

**CORAM : R. M. JOSHI, J.
DATE : 11th AUGUST, 2025**

PER COURT :-

1. In Civil Application Nos. 4946/2023 in FA No. 1699/2023, 4948/2023 in FA No. 1701/2023 and CA No. 4947/2023 in FA No. 1700/2023 are for intervention of the Applicant for his addition as party Respondent to the First Appeal. Learned Counsel for the Respondents record no objection for allowing the Applications. Applications stand allowed. The intervenor be added as a Respondent to the Appeal forthwith. Appellant to carry out amendment.

2. Record indicates that this Court has passed order dated 30th March 2023 in Civil Application Nos.4082/2023, 4078/2023 and 4081/2023 permitting the Applicants to withdraw the amount deposited by the Respondent/Original Appellant. During the pendency of the

Appeal, three intervention Applications came to be filed. As a result of these three intervention Applications, a dispute arose with regard to as to who should withdraw the said amount. Now, the Respondent and Intervenor have entered into a compromise between themselves for the purpose of the withdrawal of the said amount. Consequently, the Intervenor is permitted to be joined as Respondent o the First Appeal.

3. Compromise pursis is filed on record. The parties and the terms of compromise are duly verified before the learned Registrar (Judicial). The report of Registrar indicates accordingly.

4. Perusal of the compromise pursis indicates that the compromise is reasonable and hence deserves to be accepted.

5. In view of this, Respondents are permitted to withdraw the amount deposited by the Appellant in terms of the compromise.

6. The Respondents are permitted to withdraw the compensation in terms of compromise pursis and in accordance with the order dated 30th March, 2023 passed by this Court allowing withdrawal of the compensation.

(R. M. JOSHI, J.)

ssp