



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

951 WRIT PETITION NO. 1244 OF 2025

SATISH MADHAVRAO BARULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for the Petitioner : Mr.V.P.Savant
AGP for Respondent-State : Mr.K.N.Lokhande
Advocate for Respondent no.2 : Mr.B.R.Surwase

...

AND

WRIT PETITION NO.1157 OF 2025

ATMARAM GYANA BARULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for the Petitioner : Mr.V.P.Savant
AGP for Respondent-State : Mr.K.B.Jadhavar

...

AND

WRIT PETITION NO.1234 OF 2025

BALAJI LINGRAM BARULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for the Petitioner : Mr.V.P.Savant
AGP for Respondent-State : Mr.P.D.Patil

...

AND

WRIT PETITION NO.1166 OF 2025

HARISHCHANDRA SOPAN BARULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for the Petitioner : Mr.V.P.Savant
AGP for Respondent-State : Mr.K.N.Lokhande
...

AND
WRIT PETITION NO.1158 OF 2025

MAHADU LINGRAM BARULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for the Petitioner : Mr.V.P.Savant
AGP for Respondent-State : Mr.P.D.Patil
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 07.10.2025

P.C. :

1] By the present Writ Petitions, the petitioners challenge the judgment and orders dated 04.04.2005 in LAR No.217/2005, dated 20.02.2015 in LAR No.209/2005, 04.04.2014 in LAR No.216/2005, dated 04.04.2014 in LAR No.219/2005, so also, judgment and order dated 20.02.2015 in LAR No.215/2005, respectively. The said

LARs have been dismissed by the Reference Court for non-leading of the evidence by the petitioners.

2] The learned counsel for the petitioners relies upon the judgments of this Court in the case of **Shamrao Umaji Gadhe [Died] through Legal Heirs Gayabai Vs. The State of Maharashtra & others** in Writ Petition No.6441/2022, decided on 03.02.2023, so also, in the case of **Sanjay Ashok Mitkari Vs. The State of Maharashtra & another** in Writ Petition No.210/2024 along with connected Writ Petition, decided on 09.01.2024 and submits that in the identical fact situation, this Court has set aside the awards passed by the Reference Court and remanded the matter back for fresh consideration.

3] The learned counsel for the respondent no.2 i.e. acquiring body submits that there is a huge delay in filing the Writ Petitions and that on account of delay the petitions be dismissed or a conditional orders be passed.

4] In view of the submissions canvassed by the respondent no.2, the learned advocate appearing for the petitioners submits that the petitioners would not claim the interest or statutory benefits for the delay period from the date of the Reference Court orders till date of filing of the Writ Petitions.

5] In view of the submissions made, the Awards passed by the Reference Court are set aside, respectively and the matters are remitted back to the Reference Court for deciding the Reference on merits. The petitioners are permitted to lead evidence before the Reference Court.

6] The learned Advocate for the petitioners submits that they would appear before the Reference Court and that they would also tender their evidence before the Reference Court on the date given by the Reference Court.

7] The Reference Court to decide the Reference expeditiously. However, it is made clear that in the event the Reference is answered in favour of the petitioners, the

petitioners would not be entitled for interest or statutory benefits for the delay period from the date of the impugned orders till the date of the disposal of the present writ petitions.

8] The Writ Petitions are disposed of with above observations.

[ARUN R. PEDNEKER]
JUDGE

DDC