



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

**CIVIL APPLICATION NO. 3542 OF 2021
IN
FIRST APPEAL STAMP NO. 41183 OF 2019**

Bhura Waman Pawar
Through Special Power of
Attorney Mohan Bhura Pawar .. Applicant

Versus

The Executive Engineer, M.I.D.C.,
Jalgaon and others .. Respondents

Ms. Sakshi A. Kale, a/w Shri A. E. Madne, Advocate h/f Shri A.
B. Kale, Advocate for the Applicant.
Shri Santosh N. Pawade, Advocate i/by Jay and Co. Advocate for
the Respondent No. 1.
Shri V. S. Badakh, A.G.P. for the Respondent Nos. 2 and 3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 13TH OCTOBER, 2025.**

FINAL ORDER :

. This application is for withdrawal of amount deposited by
the respondent No. 1 - acquiring body.

2. It is brought to my notice that original claimant Bhura
Waman Pawar died on 24.12.1987. The reference was
prosecuted in his name, albeit, through power of attorney Mohan
Bhura Pawar, his son. The same state of affair continued.
Mohan Bhura Pawar has filed present application. It is
contended by the learned counsel for the applicant that he holds

general power of attorney on behalf of other legal heirs of deceased Bhura.

3. Leave is granted to amend the title cause incorporating names of the legal heirs of the deceased Bhura in the civil application as well as in the first appeal. Amendment to be carried out forthwith.

4. Learned counsel for the applicant undertakes to file power of attorney authorizing Mohan Bhura Pawar on behalf of other heirs of the deceased Bhura Pawar within a period of four (04) weeks from today.

5. My attention is adverted to the order dated 12th July, 2021 passed in First Appeal Stamp No. 16130 of 2019 permitting the claimants therein to receive 50% of the amount on furnishing undertaking. I propose to adopt the same course.

6. For the reasons stated in the application, it is desirable to allow the application partly. The civil application is allowed partly permitting the applicant to receive 50% of the amount deposited with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial).

7. The amount shall not be disbursed to the applicant - claimant unless amendment is carried out and vakalatnama of power of attorney and heirs of the deceased Bhura Waman

Pawar is filed on record.

8. It is permissible to disburse the amount to the attorney holder provided that undertaking is furnished by him that he will disburse the amount amongst the legal heirs of the deceased Bhura Waman Pawar. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Oct. 25