



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

**CIVIL APPLICATION NO. 13425 OF 2025
IN
FIRST APPEAL NO. 3331 OF 2025**

Govind Motiram Rathod and others .. Applicants

Versus

The Executive Engineer Development
and others .. Respondents

Shri Ravindra V. Gore, Advocate for the Applicants.
Shri Anand Chawre, Advocate for the Respondent No. 1.
Mrs. M. N. Ghanekar, A.G.P. for the Respondent No. 3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 05TH DECEMBER, 2025.**

FINAL ORDER :

. Heard both sides.

2. Learned counsel for the applicants does not press prayer clause 'C' of the application as he wants to follow the procedure for correction of record in the Reference Court.

3. The applicant No. 3D/Vilas Ramdhan Rathod is challenged person and unable to furnish undertaking which requires oral verification also. He is seeking permission to furnish the undertaking through his brother applicant No. 3B.

4. Learned counsel for the respondent No. 1-acquiring body has objection for directions solicited by the applicants. It is submitted that alternate mode can be resorted to, but the undertaking of the real brother of the applicant No. 3D cannot be permitted.

5. The difficulty of the applicant No. 3D appears to be genuine. He will be unable to respond oral inquiry to be conducted by the Registrar (Judicial). Applicant No. 3B is the real brother of the applicant No. 3D. I find it proper in permitting the applicant No. 3D to file affidavit through his real brother applicant No. 3B.

6. The civil application is allowed in terms of prayer clause 'B'. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25