



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

FIRST APPEAL NO. 713 OF 2019

The Executive Engineer, Minor Irrigation Division,
Dist. Osmanabad,
Through;
Mohan s/o Baliram Kade and Another

...Appellants

Versus

Hariba Devrao Mane,
Deceased through His LRs.
Narayan s/o Hariba Mane,
(Respondent no. 2 herein) & Ors.

...Respondents

.....
Mr. Shyam C. Arora – Advocate for the Appellants
Mr. Amol T. Jagtap – Advocate for Respondents
.....

CORAM : NEERAJ P. DHOTE, J.
DATED : 11TH JULY 2025

PER COURT : -

1. This matter is moved for Speaking to the Minutes in respect of the Order dated 7th April, 2025.
2. Heard the learned Advocate for the Appellants and the learned Advocate for the Claimants.
3. The Appeal has been disposed off finally by the Judgment and Order dated 7th April, 2025. The operative order of the said Judgment reads as under: -

"ORDER
[i] The Appeal is partly allowed.

- [ii] The Interest awarded by the learned Reference Court shall be payable from the date of final Award, which is dated 15.10.1997.*
- [iii] The impugned Judgment and Award stands modified to the extent of Interest as noted above.*
- [iv] Record and Proceedings be sent back to the learned Reference Court.*
- [v] The amount deposited by the Acquiring Body shall be disbursed to the Claimants after re-calculating amount of Interest as modified above."*

4. It is submitted by the learned Advocate for the Appellants that, after disbursing the amount pursuant to Clause No. [v] of the aforementioned operative order, the balance amount be directed to be refunded to the Appellant - Acquiring Body. The learned Advocate for the Claimants submits that, the same can be observed in the operative order referred to above.

5. In view of the above, the following sentence be added in continuation to Clause No. [v] of the aforementioned order:

"and the balance amount, if any, be refunded to the Appellant-Acquiring Body."

6. The aforementioned Judgment and Order dated 7th April, 2025 be corrected accordingly and corrected Judgment and Order be uploaded.

7. *Praecipe* stands disposed off.

[NEERAJ P. DHOTE]
JUDGE