



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**918 CIVIL APPLICATION NO. 14159 OF 2025
IN FA/2334/2022**

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1,
JALNA.

VERSUS

SAKHARAM MADHAV KHARAT AND ORS.

...

Advocate for Applicant : Mr. Shrirang Shashishekhar Dande

Advocate for Respondent Nos. 1 to 3 : Mr. Vilas M. Humbe

AGP for Respondent nos. 4 & 5: Mr. S.V. Hange

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**919 CIVIL APPLICATION NO. 14164 OF 2025
IN FA/4239/2022**

THE EXE. ENGINEER, MINOR IRRIGATION DIV. NO.1, JALNA

VERSUS

GANPAT S/O BHIKA KHARAT AND ORS.

...

Advocate for Applicant : Mr. Shrirang Shashishekhar Dande

Advocate for Respondent No. 1 : Mr. Vilas M. Humbe

AGP for Respondent nos. 2 & 3: Mr. S.V. Hange

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**920 CIVIL APPLICATION NO. 14165 OF 2025
IN FA/2323/2022**

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1,
JALNA.

VERSUS

GAUTAM TRIMBAK RAGDE AND ORS.

...

Advocate for Applicant : Mr. Shrirang Shashishekhar Dande

Advocate for Respondent Nos. 1 and 2 : Mr. Vilas M. Humbe

AGP for Respondent nos. 3 & 4: Mr. S.V. Hange

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**921 CIVIL APPLICATION NO. 14166 OF 2025
IN FA/2338/2022**

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION NO. 1,
JALNA.

VERSUS

MAROTI BHIKA KHARAT AND ORS.

...

Advocate for Applicant : Mr. Shrirang Shashishekhar Dande

Advocate for Respondent Nos. 1 : Mr. Vilas M. Humbe

AGP for Respondent nos. 2 & 3: Mr. S.V. Hange

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CORAM : SHAILESH P BRAHME, J.

DATE : 24.12.2025

PER COURT :

After hearing for some time it transpires that the claim of the claimants as per the order dated 13.06.2012 passed by Division Bench in Writ Petition No. 2926/2010 pertains to already cut trees in the lands under acquisition and *ex facie* payment. The tenor of Civil Application No. 13534/2025 on the basis of which the judgment under review was passed is that the trees were existing when notification under Section 4 was issued. In the joint measurement the existence of the trees is seen. *Prima facie* the claimants have taken inconsistent stand.

2. The learned counsel Mr. Dande submits that the claimants did not claim any compensation in respect of the trees in the reference petition. The memo of the reference petition, memo of Writ Petition No. 2926/2010 are necessary to be produced. The respondents/claimants shall produce on record these documents on the next date.

3. Stand over to 13.01.2026.

4. Civil Applications shall be decided finally on the next date. Till then there shall be ad interim relief in terms of prayer clause 'C'.

(SHAILESH P BRAHME, J.)

mkd/-