

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

**10 FIRST APPEAL NO. 3715 OF 2022
WITH
CIVIL APPLICATION NO. 14045 OF 2025**

Sandu Rustum Kharat and others .. Appellants

Versus

The State of Maharashtra, through the
Collector, Jalna and others .. Respondents

Shri V. M. Humbe, Advocate for the Appellants.
Shri S. N. Morampalle, A.G.P. for the Respondent Nos. 1 and 2.
Shri S. S. Dande, Advocate for the Respondent No. 3.

**AND
27 FIRST APPEAL NO. 22 OF 2026
WITH
CIVIL APPLICATION NO. 14048 OF 2025**

Vasant Bhagaji Ragde and others .. Appellants

Versus

The Executive Engineer Minor Irrigation
Division Jalna and others .. Respondents

Shri V. M. Humbe, Advocate for the Appellants.
Shri S. S. Dande, Advocate for the Respondent No. 1.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 2 and 3.

**AND
82 FIRST APPEAL NO. 23 OF 2026
WITH
CIVIL APPLICATION NO. 14043 OF 2025**

Bhika Shripat Kharat
Since deceased through his L.Rs.
Rukhmanbai Died through L.Rs.
Maroti and another .. Appellants

Versus

The Executive Engineer Minor Irrigation
Division Jalna and others .. Respondents

Shri V. M. Humbe, Advocate for the Appellants.
Shri S. S. Dande, Advocate for the Respondent No. 1.
Shri S. V. Hange, A.G.P. for the Respondent Nos. 2 and 3.

AND
115 FIRST APPEAL NO. 1751 OF 2023
WITH
CIVIL APPLICATION NO. 13337 OF 2025

Uttam Daulat Kharat .. Appellant
Versus
The State of Maharashtra, through the
Collector, Jalna and others .. Respondents

Shri Vilas M. Humbe, Advocate for the Appellant.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 1 and 2.
Shri Ruturaj C. Patil, Advocate for the Respondent No. 3.

CORAM : SHAILESH P. BRAHME, J.
DATE : 18TH FEBRUARY, 2026.

ORDER :

. These are the applications filed by the appellants – claimants U/O 41 Rule 27 of the Code of Civil Procedure.

2. Parties are unanimous that this Court had dealt with such type of applications and the appeals vide common order dated 11th December, 2025 were allowed partly and matters were relegated to the Reference Court for deciding them afresh by considering the additional evidence also. The acquiring body has taken out proceedings of review against the order dated 11th

December, 2025. It is kept on 18.03.2026.

3. Whether the matters are to be relegated to the Reference Court for consideration afresh as well as whether additional evidence can be taken into account is subjudice in review applications. I find it fit to place present applications with first appeals on 18.03.2026 to avoid inconsistencies.

4. Place present applications with first appeals in urgent admission category. Present appeals with applications shall be placed along with Review Application No. 14159 Of 2025 in First Appeal No. 2334 of 2022 with other connected matters.

[SHAILESH P. BRAHME J.]

bsb/Feb. 26