



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

54 CIVIL APPLICATION NO. 10292 OF 2025
IN FAST/27245/2023

SUKHDEO SADA SHINGTE

VERSUS

THE EXECUTIVE ENGINEER AND ORS

WITH CIVIL APPLICATION NO. 12394 OF 2023 IN
FAST/28225/2023 WITH CIVIL APPLICATION NO. 12392 OF
2023 IN FAST/27245/2023 WITH CIVIL APPLICATION NO.
12393 OF 2023 IN FAST/27245/2023 WITH CIVIL
APPLICATION NO. 12395 OF 2023 IN FAST/28225/2023

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Advocate for Applicant : Mr. Doke Kishor Rishikesh
AGP for Respondent/s-State : Mr. S. N. Morampalle.
Advocate for Respondent No.1 : Ms. Ashwini S. Hoge Patil
(Through V. C.)

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CORAM : SHAILESH P. BRAHME, J.
DATE : 19.01.2026

PER COURT :-

1. Applicant seeks to withdraw amount of Rs.37,91,454/- deposited by the respondent/acquiring body. Reliance is placed on order dated 22.09.2025 to claim parity. In similarly situated matter, when 75% of the amount was deposited by respondent/acquiring body, this Court permitted the claimants to receive amount on certain conditions. I also propose to adopt the same course.

2. Civil application for withdrawal of amount is allowed partly permitting the applicant to receive 75% of the amount

on furnishing undertaking and balance amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

Civil Applications for Delay

3. Applicants/acquiring body seeks condonation of delay of 2119 days in preferring appeals. The averments shall not be contested by the respondents. The delay is unintentional. It has repercussions on the public exchequer. The delay stands condoned.

4. Civil applications are allowed.

Civil Applications for Stay

5. As the entire amount has been deposited in pursuance of the earlier order, ad-interim relief granted earlier shall stand confirm.

6. Civil applications are disposed of.

First Appeals

7. **Admit.**

8. Learned AGP waives service of notice for respondents/State. Learned counsel Mr. Doke waives service of notice for respondents/claimants.

9. Call for Record and Proceedings from the concerned Court.

10. Print is dispensed with.

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11. It is reported that respondent No.2 Rukminbai is no more. Learned counsel for the respondents confirms that respondent No.2 is her son who is already on record.

12. Parties shall be at liberty to make necessary amendment.

(SHAILESH P. BRAHME, J.)

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vmk/-