



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

**CIVIL APPLICATION NO. 1003 OF 2026
IN
FIRST APPEAL STAMP NO. 11039 OF 2024**

Subhadrabai Ganpat Shinde and others .. Applicants

Versus

Executive Director, Godavari Marathwada
Irrigation Division and others .. Respondents

Shri Durgesh M. Pingale, Advocate for the Applicant.
Shri Shivraj B. Kadu, Advocate for the Respondent Nos. 1 and 2.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 3 and 4.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 27TH JANUARY, 2026.**

FINAL ORDER :

. Heard both sides.

2. Applicants seek to withdraw an amount of Rs. 9,19,755/- deposited by the respondent – acquiring body with accrued interest.

3. My attention is adverted to the order dated 13.01.2026 passed in Civil Application No. 6606 of 2024, by which the disbursement was directed by this Court on certain conditions. It is further brought to my notice that already this Court permitted those claimants to receive Rs. 3,72,327/- and the claim

would survive in this application to the extent of balance amount of Rs. 9,19,755/-.

4. I propose to follow the same course as has been done vide order dated 13.01.2026. It reveals from record that applicants and the respondent No. 5 – Sheshrao Bhaurao Mutkule are co-owners. They are entitled to receive the amount in equal proportion. But the respondent No. 5 is not with the applicants and not interested to receive the amount. Applicants are entitled to receive the amount in equal proportion.

5. The civil application is allowed partly permitting the applicants to receive 75% of the amount deposited with accrued interest i. e. 2/3rd amount in equal proportion on furnishing undertaking and 25% of the amount deposited with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. Balance amount shall be invested in any nationalized bank. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Jan. 26