



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

**CIVIL APPLICATION NO. 1359 OF 2026**  
**IN FAST/5237/2022**

BALASAHEB VISHWANATH SHINDE AND ANR.

VERSUS

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT CO. THR EX.  
ENGINEER, MEDIUM PROJECT OSMANABAD AND ORS.

...

Advocate for Applicant : Mr. Mahesh P. Kale  
AGP for Respondents-State : Ms. D. S. Jape  
Advocate for Respondent No. 1 : Mr. Anil M. Gaikwad

...

**WITH**  
**CIVIL APPLICATION NO. 1358 OF 2026**  
**IN FAST/5237/2022**

BALASAHEB VISHWANATH SHINDE

VERSUS

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT CO. THR EX.  
ENGINEER, MEDIUM PROJECT OSMANABAD AND ORS

...

**WITH**  
**CIVIL APPLICATION NO. 1212 OF 2026**  
**IN FAST/5258/2022**

GOKUL VISHWANATH SHINDE AND ANR

VERSUS

THE MAHARASHTRA KRUSHNA VALLEY D

...

**WITH**  
**CIVIL APPLICATION NO. 2388 OF 2026**  
**IN FAST/5258/2022**

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT CO. THR EX.  
ENGINEER, MEDIUM PROJECT OSMANABAD AND ORS.

VERSUS

GOKUL VISHWANATH SHINDE AND ANR.

...  
Advocate for Applicant : Mr. Anil M. Gaikwad  
Advocate for Respondents : Mr. Mahesh P. Kale

**WITH  
CIVIL APPLICATION NO. 2502 OF 2026  
IN FAST/5237/2022**

THE MAHARASHTRA KRUSHNA VALLEY DEVELOPMENT CO. THR EX.  
ENGINEER, MEDIUM PROJECT OSMANABAD AND ORS  
VERSUS  
BALASAHEB VISHWANATH SHINDE.

...

**CORAM : SIDDHESHWAR S. THOMBRE, J.**

**Date : 6<sup>th</sup> May, 2026**

**PER COURT :-**

**CIVIL APPLICATION NO. 2502 OF 2026 IN FAST/5237/2022**

**AND**

**CIVIL APPLICATION NO. 2388 OF 2026 IN FAST/5258/2022**

1. By these applications, the applicants pray that the order dated 18.10.2022 passed by this Court be set aside and the delay of 1215 days in filing application for restoration of F.A. (St.) No. 5258 of 2022 and F.A. (St.) No. 5237 of 2022 be condoned.

2. For the reasons stated in the applications, both Civil Applications are allowed in terms of prayer clauses (A) and (B).

3. Appeal/s be restored.

**CIVIL APPLICATION NO. 1358 OF 2026 IN  
FAST/5237/2022**

1. By this application, the applicants seek the impleadment (addition) of parties. Specifically, the applicants seek permission to add Applicant No. 2 as a party-respondent to the appeal, as well as to all connected civil applications and delay condonation proceedings.

2. Mr. Akash Rodge, the learned counsel appearing for Mr. M. P. Kale for the applicants, submits that although Applicant No. 2 was a party before the Reference Court, his name was erroneously omitted from the impugned order. Consequently, an application for correction was filed and subsequently allowed. Due to this initial error, Applicant No. 2 was not originally joined as a party-respondent in the present proceedings.

3. Considering the aforementioned submissions and the reasons stated in the application, the Civil Application is allowed in terms of prayer clause (B).

**CIVIL APPLICATION NO. 1359 OF 2026 IN  
FAST/5237/2022**

1. By this application, the applicants seek to withdraw the amount deposited by the respondents in this Court with accrued interest.
2. In view of the fact that the entire amount is deposited, the applicants are permitted to withdraw the 75% amount with accrued interest on furnishing undertaking and to the satisfaction of the Registrar (Judicial) of this Court.
3. Accordingly, the civil application is allowed.

**First Appeal (ST) No. 5258 of 2022 AND**

**First Appeal (ST) No. 5237 of 2022**

1. Heard.
2. **Admit.**
3. Mr. Mahesh B. Kale waives service on notice on behalf of respondents.

**(SIDDHESHWAR S. THOMBRE, J.)**