



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

55 REVIEW APPLICATION (CIVIL) NO. 30 OF 2026
IN FA/3336/2021
WITH
CIVIL APPLICATION NO. 1927 OF 2026
IN RA/30/2026

DATTATRAYA JAYDEO DESALE.

VERSUS

THE EX. ENGINEER, HATNUR PROJECT CHOPDA NOW OFFICE AT L.T.P.D.
AMALNER AND ORS.

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Advocate for Applicant : Mr. Vinayak S. Dahihande
Advocate for Respondent no. 1 : Mr. S.S. Chillarge.
Advocate for Respondent nos. 4 to 8 : Mr. B.R. Warma

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CORAM : SHAILESH P. BRAHME, J.

DATE : 16.02.2026

PER COURT :

Leave to amend the title clause of the application.

2. Heard learned counsel for the applicant and learned counsel Mr. Warma for respondent nos. 4 to 8.

3. Learned counsel for the applicant would submit that the applicant has share and interest in pursuance of compromise decree passed in Special Civil Suit No. 24/2016 as well as consent deed executed on 19.08.2016. He was party in Reference Court as well as in the High Court. It is contended that independently Civil Application No. 539/2026 was filed by him in this Court, when matter was decided finally. It is argued that the judgment under review does not reflect his entitlement and the disbursement of the balance amount to the respondents with accrued interest has caused prejudice to him.

4. The learned counsel for the respondents submits that only an amount of Rs. 25,00,000/- is lying in this Court with accrued interest. For balance amount execution proceedings are pending. It is contended that applicant slept over his right. When appeal was decided finally, he was absent. It is submitted that it is not open for him to claim any share in pursuance of the compromise decree.
5. Both parties have pointed out interim orders passed by this court. Considering the rival submissions of the parties, this Court is of the considered view that arguable points are raised in the review application. There appears to be apparent mistake on the face of the record, for which review needs to be entertained.
6. There shall be ad interim relief in terms of prayer clause 'D'.
7. Learned counsel for the respective respondents waive notice.
8. List this matter on 16.03.2026.

(SHAILESH P. BRAHME, J.)

mkd/-