



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**963 CIVIL APPLICATION NO. 4616 OF 2026
IN FAST/21689/2025**

RAGHUNATH SUKA BHIL DIED THROUGH LRS
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION JALGAON THROUGH THE
EXECUTIVE ENGINEER MIW JALGAON

**WITH
CIVIL APPLICATION NO. 4617 OF 2026
IN FAST/21689/2025**

RAGHUNATH SUKA BHIL DIED THROUGH LRS
VERSUS
TAPI IRRIGATION DEVELOPMENT CORPORATION JALGAON THROUGH
THE EXECUTIVE ENGINEER MIW DIVISION JALGAON

...
Advocate for applicants : Mr. B.S. Chondhekar (in both CAs)
Advocate for respondent no.1 : Mr. A.D. Pawar
AGP for the respondent – State : Mr. N.R. Dayma
...

CORAM : SHAILESH P. BRAHME, J.

DATE : 24 APRIL 2026

PER COURT :

FOR DELAY AND LRS

Applicants seek condonation of delay of 482 days in preferring the first appeal and setting aside the abatement of deceased Raghunath Suka Bhil on record.

2. Cause of action survives against the LRs of deceased. No mala fides can be inferred on the part of the applicants.

3. It is the duty of the acquiring body to bring LR's on record. Delay stands condoned. Abatement is set aside in bringing the LR's on record. Parties shall be at liberty to amend the title clause. C.A. is disposed of.

WITHDRAWAL

4. Applicants seek withdrawal of amount of Rs.4,01,97,624/- deposited by the respondent – Acquiring Body. Ends of justice can be met by permitting the applicants to withdraw 50% of amount on furnishing undertaking and 25% amount on furnishing solvent surety.

5. Civil application is allowed partly.

6. Applicants are permitted to withdraw 50% of the amount of compensation with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court and 25% of amount of compensation 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.

[SHAILESH P. BRAHME]
JUDGE

arp/