



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

902 FIRST APPEAL NO. 3064 OF 2015

Executive Engineer, Irrigation Project, Strengthening Division, Omerga
Through M.K.V.D.C. Pune And Others
VERSUS
Subhadrabai Manju Shinde And Others

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Advocate for Appellant : Mr. Tambe Rahul A.
Advocate for Respondents R/2 And 4: Mr. Manwatkar Dinesh U.
Advocate for Respondents R/5 To 8, R/9/a To 9/c, 10 And 11 : Mr. Chavan P. S.

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WITH

FIRST APPEAL NO. 37 OF 2016

WITH

FIRST APPEAL NO. 265 OF 2016

WITH

FIRST APPEAL NO. 39 OF 2016

WITH

FIRST APPEAL NO. 35 OF 2016

WITH

FIRST APPEAL NO. 3490 OF 2015

WITH

FIRST APPEAL NO. 36 OF 2016

WITH

FIRST APPEAL NO. 269 OF 2016

WITH
FIRST APPEAL NO. 268 OF 2016

WITH
FIRST APPEAL NO. 267 OF 2016

WITH
FIRST APPEAL NO. 38 OF 2016

WITH
FIRST APPEAL NO. 3488 OF 2015

WITH
FIRST APPEAL NO. 3489 OF 2015

WITH
CIVIL APPLICATION NO. 802 OF 2023
IN X-OBJST/15530/2021

WITH
CIVIL APPLICATION NO. 803 OF 2023
IN X-OBJST/15532/2021

WITH
CIVIL APPLICATION NO. 5234 OF 2022
IN X-OBJST/15382/2021

WITH
CIVIL APPLICATION NO. 5411 OF 2022
IN X-OBJST/15386/2021

WITH
CIVIL APPLICATION NO. 801 OF 2023
IN X-OBJST/15527/2021

WITH
FIRST APPEAL NO. 3491 OF 2015

WITH
FIRST APPEAL NO. 2522 OF 2017

WITH
FIRST APPEAL NO. 2523 OF 2017

WITH
FIRST APPEAL NO. 2525 OF 2017

WITH
CIVIL APPLICATION NO. 10166 OF 2016
IN FA/3064/2015

WITH
CIVIL APPLICATION NO. 5412 OF 2023
IN X-OBJST/24736/2021

WITH
CIVIL APPLICATION NO. 5411 OF 2023
IN X-OBJST/24739/2021

CORAM : AJIT B. KADETHANKAR, J.
DATE : OCTOBER 09, 2025

ORDER :-

Heard Mr.Tambe, learned counsel for the appellant; Mr.Chavan, learned counsel for respondent nos.5 to 8, 9/a to 9/c, 10 and 11; Mr.Manvatkar, learned counsel for respondent nos.2 and 4; and Shri. Ashok Manju Shinde, respondent no.3, who is present in person.

2. Mr.Tambe, learned counsel and Mr.Chavan, learned counsel, took me through the order passed by this court on

11.09.2025. They would submit that the respondents played fraud in withdrawing the amount deposited by the acquiring body in this court, in suppression of the material fact about other legal representatives of deceased claimant/respondent no.1. Vide the said order, this court has directed respondent nos.2 to 4 to deposit back the amount, which they have withdrawn from this court together with interest. It further appears that notices were issued to respondent nos.2 to 4, pursuant to which respondent nos.2 and 4 appeared through an Advocate; whereas, respondent no.3 appeared in person. This court by noting every events that occurred in the matter, recorded that the respondents have committed contempt of the order passed by this court. A bailable warrant was also issued to the respondents. This court also recorded that still, there was no compliance of the order and a notice of contempt was also issued to the respondents, to which they failed to comply. In that event, this court on 11.09.2025, directed to take into custody respondent nos.2 and 4 and to release them on bail on executing P.R. bond in the sum of Rs.25,000/- each with one cash surety to be furnished in the office of this court.

3. Today, it is informed that actually, respondent no.3 - Ashok Manju Shinde, who is present in person, was not taken into

custody. There is a typographical mistake in clause 6 of the order dated 11.09.2025, wherein it is reflected that respondent nos.2 to 4 were to be taken into custody. It is informed that that respondent no.3 was not taken into custody on that day, since it was noticed that he was not represented through an Advocate.

4. Today, this Court has appraised and explained everything in Marathi to respondent no.3 - Ashok Manju Shinde, who is appearing in person. Respondent no.3 is explained about the findings recorded by this court on earlier dates as also on 11.09.2025 and the compliance that was ordered to be complied with by respondent no.3 - Ashok Manju Shinde. Respondent no.3 - Ashok Manju Shinde, in turn, would submit that he had changed his Advocates sometimes and as such, today, he is not represented by any Advocate. He further submits that he may be permitted to engage an Advocate.

5. Considering the facts in totality, I am of the view that the party in person (respondent no.3) needs to be given, at least, one last chance to represent him either personally or through an Advocate. In view of this, stand over to 17.10.2025, at the behest of respondent no.3 for further consideration.

6. In the meantime, respondent no.3 may engage an Advocate of his choice or may approach the Legal Aid Committee, who may give him legal assistance, if he is entitled.

[AJIT B. KADETHANKAR, J.]

KBP