

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.9288 OF 2023
IN
ARBITRATION APPEAL NO.2 OF 2021

Shri Ekvira Devi Shaikshanik Mandal
Through President
Mr. Prashant Bhaskarrao Wagh

.... Applicant

Versus

National Highways Authority of India
and another

.... Respondents

.....
Mr. Vijay B. Patil, Advocate for the Applicant
Mr. D.S. Manorkar, Advocate for Respondent No.1

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th AUGUST, 2023

ORDER :

1. This application is filed for withdrawal of amount deposited by the respondent No.1/appellant.

2. The appeal is filed by the respondent No.1 challenging the award passed by the Arbitrator, thereby enhancing the compensation from Rs. 5,000/- per Square Meter to 14,500/- per Square Meter. Learned advocate for the respondent No.1/appellant vehemently opposed the application contending that exorbitant amount is enhanced by the Arbitrator, and therefore, the applicant at the most

permitted to withdraw 50% of the amount deposited by respondent No.1/appellant.

3. Admittedly, only 50% award amount is deposited by respondent No.1/appellant under the orders of this Court. In that view of the matter, the application deserves to be allowed, and the same is hereby allowed in terms of prayer clause (B), subject to the applicant file undertaking.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane