



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

**932 CIVIL APPLICATION NO. 1586 OF 2025
IN FA/2236/2021**

SANDIPSINGH RAJENDRASINGH PARDESHI AND ANR

VERSUS

THE EX. ENGINEER, M.I.W., JALGAON AND ORS

...

Mr. Kale Ajeet B., Advocate for Applicant

Mr. N. S. Tekale, AGP for Respondent-State

Mr. Subhash S. Chillarge, Advocate for Respondent Nos.1 & 4

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**CORAM : NITIN B. SURYAWANSHI AND
SANDIPKUMAR C. MORE, JJ.**

DATED : 11/07/2025.

P. C. :

1. This application is filed for withdrawal of the compensation amount awarded by the reference court.
2. Learned counsel for the respondent- acquiring body opposes the application stating that the enhancement is near about 70 times than awarded by SLAO. He further submits that SLAO had granted compensation for 26 trees, whereas the reference court has awarded compensation for 2941 trees. Therefore, exorbitant amount of compensation is awarded to the claimants.
3. On the other hand, learned advocate for the applicants / claimants submits that similarly situated claimants were paid the

amount of compensation so awarded by the reference court in execution proceedings. Therefore, the applicants / claimants are also entitled for withdrawal of the said amount. He further submits that only 50% of the amount is deposited by the respondents, that too not within the time stipulated by this court, and therefore, since the order of granting stay was conditional one and as respondents have not deposited the amount within stipulated period, there is no stay operating.

4. Considering the above, we deem it appropriate to allow the application and permit the applicants / claimants to withdraw entire 50% deposited amount alongwith accrued interest thereon i.e. 40% on furnishing usual undertaking and 10% on furnishing solvent surety / security to the satisfaction of the learned Registrar (Judicial) of this Court.

5. The application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)

(NITIN B. SURYAWANSHI, J.)