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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12377 OF 2025
IN
FIRST APPEAL NO.3485 OF 2022

Pandharinath Dnyanoba Kendre and Others

APPLICANTS

VERSUS

The Executive Engineer MID Nanded and Others

RESPONDENTS

.....
Mr. Ajeet B. Kale, Advocate for the Applicants

Mrs.Chailati Kutti Chaudhari, Advocate for Respondent No.1

.....

[CORAM : NITIN B. SURYAWANSHI, &
VAISHALI PATIL-JADHAV, J. J.]

DATE : 14th NOVEMBER, 2025

ORDER :

1. This Application is filed for withdrawal of the balance amount deposited by the Respondent – Acquiring Body in this Court.
2. By order dated 11th October, 2022, this Court granted stay to the impugned Award, subject to deposit of 75% of the amount along with interest accrued thereon, till date. Accordingly, the Acquiring Body deposited an amount of Rs.8,95,80,545/- on 15th April, 2023.
3. Admittedly, the Applicants have filed Civil Application No.

7567 of 2023 for withdrawal of entire 75% of the awarded amount. This Court, after hearing both the sides, partly allowed the Application and permitted the applicants to withdraw an amount of Rs.6,50,00,000/- (i.e. 75% of the deposited amount).

4. Present Application, in fact seeks review of the said order. No change in circumstance is brought on record by the Applicants, to modify the said order. Thus, no case is made out by the Applicants to permit them to withdraw the balance amount of compensation. Therefore, the application is dismissed.

5. Appellant to file private paper book within 8 weeks from today.

6. Print dispensed with.

7. Call for the Record and Proceedings.

8. List the First Appeal for final hearing after the private paper book is filed.

[VAISHALI PATIL-JADHAV]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE