



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

**1095 CIVIL APPLICATION NO. 12256 OF 2025
IN WRIT PETITION NO.6344 OF 2025**

**GOPINATH GANPATRAO KUTE
VERSUS
POWER GRID CORPORATION OF INDIA LTD.**

...
Advocate for Applicant : Mr.V.D.Salunke
Advocate for Respondent : Mr.Girish S.Rane
...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 19.12.2025**

P.C. :

1] By order dated 07.02.2025, the District Judge-1, Parbhani has allowed the application filed under Section 16 (3) of the Indian Telegraph Act, 1885 whereby the Power Grid Corporation of India Limited is directed to pay an amount of Rs.15,20,000/- to the applicants along with interest @ 6% p.a. from the date of application till its realization. The said order is challenged by the petitioner by filing Writ Petition before this Court.

2] The writ petitioner has deposited 50% of

outstanding amount in this Court. As such, the present Civil Application is filed by the applicants to withdraw the amount deposited by the writ petitioner in this Court.

3] The learned counsel for the writ petitioners submits that it is public fund and the applicants should not be permitted to withdraw the amount. The learned counsel for the writ petitioners further submits that the District Court has computed the compensation based on the hypothesis consideration. He further submits that in another connected matter the District Court has not granted any compensation for want of evidence.

4] The learned counsel for the applicants submits that in another connected matters, the trees are '*Neem*' trees and there may be compensation required to be granted.

5] However, the findings are recorded by the District Court after considering the material placed on record that the applicants herein are entitled to the compensation as 25 mango trees are damaged.

6] Considering the submissions, for the reasons stated in the Civil Application, the same is allowed. The applicants are permitted to withdraw the amount deposited in this Court along with interest, subject to furnishing usual undertaking to the satisfaction of the Registrar [Judicial] that in the event the writ petition is allowed in favour of the writ petitioners, the present applicants would refund the withdrawn amount within four weeks thereafter. Civil Application is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE

DDC