

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 11211 OF 2025
IN
FIRST APPEAL(ST) NO. 7830 OF 2025

Prataprao Jaysingrao Kadam
Since Deceased
Through Legal Heirs Chhaya Pratap Kadam And Ors. ...Applicants

IN THE MATTER BETWEEN :

The Executive Engineer,
Dudhganga Canal Division No. 1, Kolhapur ...Appellant
Versus

Prataprao Jaysingrao Kadam
Since Deceased
Through Legal Heirs Chhaya Pratap Kadam
And Ors. ...Respondents

Mr. D.V. Sutar a/w Ms. Reshma Adnaik, Mr. Shashank chavan,
Advocate for the Applicants.

Mr. R.S. Todkar a/w Ms. Vidya Musandi, Mr. Abhijeet B. Desai, for the
Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th DECEMBER, 2025.

P.C.

1. Heard learned counsel for the applicants and learned
counsel for Respondents.

2. It is contention of learned counsel for the applicants that the
land of the applicant is acquired by the Appellant. The Appellant has

deposited entire award amount. The applicants need the amount for their daily expenses. Hence, requested to allow the application.

3. Learned counsel for Appellant objected to allow the application on the ground that the Tribunal has awarded exorbitant and excessive compensation. Hence, requested to reject the application.

4. I have heard both learned counsels. Considering the submissions of both the counsel as well as land of the applicants are already acquired. The grounds raised by the Appellant can be considered at the time of final hearing of the appeal. Hence, I pass the following order:

ORDER

- (i) The application is allowed.
- (ii) The applicants are permitted to withdraw 50% amount along with accrued interest thereon out of the deposited amount on furnishing usual undertaking.
- (iii) The interim application is disposed off.

FIRST APPEAL(ST) NO. 7830 OF 2025 :-

5. Stand over to 7th January, 2026.

(SHIVKUMAR DIGE, J.)