

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

INTERIM APPLICATION NO. 11094 OF 2025
IN
FIRST APPEAL(ST) NO. 32792 OF 2023

Shrinivas Keshav Joshi Deceased
Throug Legal Heir Dilip Shrinivas
Joshi And Another

...Applicants

Versus

Shrinivas Keshav Joshi

...Respondent

Mr. Someshwar M. Wale a/w Mr. P. R. Patil a/w Mr. Vishwanath Patil
Advocate for the Applicants

Mr. Gautam Kulkarni i/b Ms. Leena Patil for the respondent-original
appellant

IRESH
MASHAL

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th NOVEMBER, 2025.

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P.C.

1. By this application, the applicants are seeking withdrawal of the amount.

2. It is the contention of learned counsel for applicants that the applicants' land is acquired by the respondent. The Trial Court has awarded the compensation. The respondent has challenged the said order which is pending before this Court. The applicants need the amount for daily expenses and requested to allow the application.

3. It is the contention of learned counsel for the respondent that the Trial Court has awarded exorbitant and excessive compensation. Applicants may not redeposit the amount if the respondent succeeds in appeal and requested to reject the application.

4. I have heard both learned counsels. The applicants' land is acquired by the respondent. The Trial Court has passed the order in favour of the applicants. The applicants need the amount for daily expenses.

5. Considering these facts, I pass following order:

ORDER

I. The application is allowed.

II. The applicants are permitted to withdraw 50% amount alongwith accrued interest thereon out of the deposited amount subject to furnishing the usual undertaking.

6. The application is disposed off in above terms.

(SHIVKUMAR DIGE, J.)