

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

INTERIM APPLICATION NO. 11230 OF 2025
IN
FIRST APPEAL NO. 1638 OF 2025

Tukaram Pundalik Gavade
Versus

...Applicant

IN THE MATTER BETWEEN :

The Executive Engineer,
Minor Project Department, Kolhapur

...Appellant
(Original Opponent No.3)

Versus

Tukaram Pundalik Gavade & Ors.

...Respondents

.....

Mr. Dhananjay A. Utture i/b Prajakt M. Arjunwadkar for Applicant.

None for the Respondent.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 28th NOVEMBER 2025

P.C.

1. Heard learned counsel for the Applicant and learned counsel for Appellant.

2. It is contention of learned counsel for the Applicant that the land is acquired by the Appellant. The Appellant has deposited entire award amount. The Applicant needs the amount for his 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 Applicant is 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 Applicant is permitted to withdraw 50% amount along with accrued interest thereon out of the deposited amount on furnishing usual undertaking.
- (iii) The application is disposed off.

(SHIVKUMAR DIGE, J.)