

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

INTERIM APPLICATION (ST.) NO.30212 OF 2025
IN
FIRST APPEAL NO. 483 OF 2022

Yallappa Babaji Sutar (since Deceased)
Through His Lrs.

1.1 Babaji Yallappa Sutar And Ors. ...Applicant

IN THE MATTER BETWEEN :

The Executive Engineer, Kolhapur ...Appellant

Versus

Yallappa Babaji Sutar (since Deceased)
Through His Lrs.

1.1 Babaji Yallappa Sutar And Ors. ...Respondents

.....

Mr. Prajakt Arjunwadkar for the Applicant in Interim Application.

Ms. Chaitrali Deshmukh i/by Mr. Vilas Tapkir for the
Appellant/Respondent.

.....

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th NOVEMBER, 2025

P.C.

1. Heard learned counsel for the applicant. None present for the Appellant.

2. It is contention of learned counsel for the applicant that the land of the applicant is acquired by the Respondent. The Appellant has deposited entire awarded 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 applicants are 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.)