

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

INTERIM APPLICATION NO. 11059 OF 2025  
IN  
FIRST APPEAL NO. 774 OF 2025

Babaso Pargonda Patil Deceased  
Through Legal heirs  
Smt. Sumitra Babaso Patil and Ors. ....Applicants

**IN THE MATTER BETWEEN :**

Executive Engineer Dudhganga  
Kalava Vibhag No.1 Kolhapur ...Appellant

Versus

Babaso Pargonda Patil Deceased  
Through Legal heirs  
Smt. Sumitra Babaso Patil and Ors. ...Respondents

Mr. Girhsh S. Kulkarni, Advocate for the applicants in IA.  
Ms. Chaitrali Deshmukh for respondent in IA/Appellant in FA.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9<sup>th</sup> DECEMBER, 2025.

**P.C.**

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

2. It is contention of learned counsel for the applicants that the land is acquired by the Appellant. The Appellant has deposited entire award amount. The applicants 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 applicants 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.)**