



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 459 OF 2025

IN

FIRST APPEAL NO. 1237 OF 2024

The Executive Engineer, Minor Irrigation Department, Buldhana

Vs.

Gondu Pandu Wakudkar (dead) Thru. LRs and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. V.B. Rathi, Advocate for applicant.

Mr. Hariom V. Dhage, Advocate for respondent No.1.

Ms. Hemlata S. Dhande, AGP for respondent/State.

CORAM : ROHIT W. JOSHI, J.

DATE : 12.02.2025.

This is an application seeking permission to withdraw the amount deposited by the appellant in terms of the order dated 09.12.2024 passed by this Court while granting stay to the execution of the impugned judgment and award passed by the learned Land Acquisition Resettlement and Rehabilitation Authority, Nagpur, in Case No.861/AMT/BLD/2022.

2. The learned counsel for respondent No.1 states that in an identical matter arising out of the same acquisition proceeding with respect to land in

the same village, this Court has while order dated 22.01.2025 passed in Civil Application (CAF) No.3764/2024 in First Appeal No.1204/2024 permitted the claimant to withdraw the entire amount of compensation on furnishing undertaking to the satisfaction of the competent authority, the learned counsel for the appellant does not dispute the statement.

3. In view of the aforesaid, respondent No.1 is permitted to withdraw the entire amount deposited by the appellant with the competent authority along with accrued interest on furnishing the usual undertaking to the satisfaction of the competent authority.

4. The civil application is disposed of accordingly.

(ROHIT W. JOSHI, J.)