



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

CIVIL APPLICATION [CAO] NO.207 OF 2025

AND

PURSIS ST. NO.01/2025

IN

CIVIL APPLICATION [CAF] NO.3535 OF 2024 [D]

IN

CIVIL APPLICATION [CAF] NO.1927 OF 2024 [D]

IN

FIRST APPEAL [STAMP] NO.8383 OF 2024 [D]

[Deputy Chief Engineer (Constructions), Central Railway, Ajni, Nagpur .vs. Smt. Kalpana w/o Parasram
Ade and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V.M. Gadkari, Advocate for Applicant-Appellant.
Mr. A.B. Patil, Adv. a/w Mr. A.B. Nakshane, Adv. for Respondent No.1.
Mr. Ganesh Umale, Assistant Govt. Pleader for Respondent Nos.2 and 3.
Mr. S.V. Sohoni, Advocate for Intervenor.

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**CORAM : NITIN B. SURYAWANSHI AND
M.W. CHANDWANI, JJ.**

DATED : 12th MARCH, 2025.

1. Learned advocate Mr. V.M. Gadkari for appellant, on instructions from the officer of the appellant present in the Court, states that he is unconditionally withdrawing the present application as well as Pursis St. No.1/2025, dated 21.01.2025. He submits that stay may be granted to the order dated 20.01.2025 passed in First Appeal St. No.8383/2024, by which, claimant-respondent no.1 is permitted to withdraw 50% of amount of compensation deposited in this Court, so as to enable the appellant to challenge that order.

2. Learned advocate for respondent no.1-claimant strenuously opposed the request of stay stating that since last three years, respondent no.1 has not received compensation amount and in connected First Appeals, arising out of the same acquisition, this Court has permitted the claimants therein to withdraw 50% of amount.

3. Ownership and title of the acquired property of respondent no.1 is questioned before the competent Civil Court. Respondent no.1-claimant has received the compensation amount of more than Rs.2 Crores, which was awarded by the Land Acquisition Officer.

4. In the facts and circumstances of the case, we deem it appropriate to grant stay to the order dated 20.01.2025 passed in First Appeal St. No.8383/2024, to enable the appellant to approach the Apex Court. Hence, the following order :

ORDER

(i) Civil Application (CAO) No.207/2025 and Pursis St. No.1/2025, dated 21.01.2025 are disposed of as withdrawn.

(ii) Order dated 20.01.2025 passed by this Court in Civil Application (CAF) No.3535/2024 in First Appeal St. No.8383/2024 is stayed for a period of four weeks from today, so as to enable the applicant-appellant to approach the Apex Court.

Stand over after six weeks.

(M.W. CHANDWANI, J.)

(NITIN B. SURYAWANSHI, J.)