

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

CIVIL APPLICATION NO. 55 OF 2025
IN
ARBITRATION APPEAL NO. 04 OF 2025

(National Highway Authority of India through Project director, Nanded vs. Smt.Kantabai Gangadhar Tondare and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of the directions
and Registrar's orders.*

Court's or Judge's order

Mr. A.A. Kathane, Advocate for appellant.
Mr. A.B. Nakshane, Advocate for respondent Nos . 1 and 2.
Mrs.Hemlata Dhande, AGP for respondent Nos. 3 and 4.

CORAM : ABHAY J. MANTRI, J.

DATE : JUNE 20, 2025

1) The respondent Nos. 1 and 2/applicants have moved this application for permitting them to withdraw 50% of the compensation amount deposited by the appellant in this Court on 08/04/2025.

2) Learned counsel for the appellant vehemently resisted the withdrawal of the said amount.

3) Having considered the factual position that the learned Arbitrator awarded compensation, which was confirmed by the District Court, Yavatmal, by its order dated 26/08/2024. Pursuant to the said Award, the appellant Authority has deposited only 50% of the amount in this Court. Therefore, I do not find substance in the resistance by the learned counsel for the appellant in this regard. Thus, in my view, it would be just and proper to grant permission to the applicants to withdraw the said amount on the usual terms and conditions. Hence, the application is allowed. As per the Award dated 30 November 2022, the said amount shall be transferred into the bank

accounts of the applicants/respondents Nos. 1 and 2 in proportionate amounts, along with accrued interest thereon, within three weeks upon furnishing the bank account details by the applicants.

(ABHAY J. MANTRI, J.)

KOLHE