



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

CIVIL APPLICATION(CAM) NO. 70 OF 2025

IN

ARBITRATION APPEAL NO. 58 OF 2024

(National Highway Authority of India ..vs.. Shri Dattatray Vishwanath Supe 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. A.A. Kathane, Advocate for the appellant,
Mr. S.S. Gaikwad, Advocate for applicant/respondent Nos. 1 and 2,
Ms. H.S. Dhande, A.G.P. for respondents/State.

CORAM : ABHAY J. MANTRI, J.

DATED : 03-07-2025

Applicant/respondent Nos. 1 and 2 have filed this application to permit them to withdraw the amount deposited by the appellant in this Court, for which the learned Advocate for the appellant has strongly objected.

2. It appears that the appellant has deposited only 50% of the compensation amount, along with accrued interest, in the Court. The appellant is not disputing that they have acquired the land of the applicants; therefore, I do not find substance in the objection raised by the learned Advocate in that regard.

3. Having considered the facts of the case, I am of the view that the applicants are entitled to withdraw the said amount on furnishing a solvent surety/security and a usual undertaking to the satisfaction of the Registrar (J).

4. Accordingly, the application is allowed. The applicants are permitted to withdraw the amount deposited by the appellant along with accrued interest thereon, on furnishing a

solvent surety/security and a usual undertaking to the satisfaction of the Registrar (J).

5. Upon furnishing the solvent surety/security and usual undertaking by the applicants, the Registrar (J) is directed to transfer the amount to the bank accounts of the applicants, as per the award, within four weeks upon their furnishing the bank account details to the registry.

6. The application is disposed of accordingly.

(ABHAY J. MANTRI, J.)

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