



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

CIVIL APPLICATION (CAM) NO. 95 OF 2025

IN

ARBITRATION APPEAL NO. 57 OF 2024

(National Highway Authority of India ..vs.. Shri Prabhakar Bhaskar Patil 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. Atul Pande, Advocate for applicant/respondent No.1,
Ms. H.S. Dhande, A.G.P. for respondents/State.

CORAM : ABHAY J. MANTRI, J.

DATED : 03-07-2025

Applicant/respondent No.1 has filed this application to permit him 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 thereon, with the Court. The appellant is not disputing that they have acquired the land of the applicant; therefore, I do not find substance in the objection raised by the learned Advocate for the appellant in that regard.

3. Having considered the facts of the case, I am of the view that the applicant is 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 applicant is 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 the applicant furnishing the solvent surety/security and the usual undertaking, the Registrar (J) is directed to transfer the amount to the applicant's bank account, as per the award, within four weeks, provided the applicant furnishes the bank account details to the registry.

6. The application is disposed of accordingly.

(ABHAY J. MANTRI, J.)

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