



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

CIVIL APPLICATION (CAM) NO. 96 OF 2025

IN

ARBITRATION APPEAL NO. 68 OF 2025

(National Highways Authority of India vs.. Nareshchandra Maheshchandra Agrawal 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. A.B. Patil and Mr. A.B. Nakshane, Advocates for respondent Nos. 1 to 6,
Ms. H.S. Dhande, A.G.P. for respondent Nos. 7 and 8.

CORAM : ABHAY J. MANTRI, J.

DATED : 03-07-2025

Applicants/respondent Nos. 1 to 6 have filed this application to permit them to withdraw the entire compensation amount, i.e. 2/3rd by applicant No.1 and 1/3rd by applicant Nos. 2 to 6 jointly.

2. The learned Advocate for the appellant, by affidavit dated 11-06-2025, submitted a calculation sheet as per the guidelines along with the affidavit at Annexure-A about the entitlement of the compensation amount by the applicants as per the slab system.

3. The applicants Nos. 2 to 6 have filed individual affidavits stating that they have no objection to grant 2/3rd amount to applicant No.1, accordingly they have consented for the same; similarly, applicant Nos. 2, 3, 4 and 6 have given no objection to grant 1/3rd amount of their share to applicant No.5-Hitesh Haridas Vasani. Likewise, applicant No. 1 has filed an affidavit stating that he has no objection to the grant of 1/3rd amount to applicant No. 5 for himself and on behalf of applicants No. 2,3,4 and 6 jointly.

4. In view of the aforesaid factual position, affidavits of applicants and submissions of the learned Advocate for both parties, I deem it appropriate to allow the application partly. Accordingly, the application is partly allowed.

5. Applicant No.1 is permitted to withdraw $\frac{2}{3}$ rd of the compensation amount out of an amount of Rs. 3,21,01,746/-, and applicant Nos. 2 to 6 are entitled to get $\frac{1}{3}$ rd of the said amount on furnishing the usual undertaking. The amount of the share of applicant Nos. 2 to 4 and 6 shall be paid to the bank account of applicant No.5.

6. The Registrar (J) is directed to transfer $\frac{2}{3}$ rd and $\frac{1}{3}$ rd of the amount out of Rs. 3,21,01,746/- in the bank accounts of applicant Nos. 1 and 5, respectively, on their furnishing their bank account details and usual undertaking to the registry.

7. It is made clear that applicant Nos. 1 and 5 shall file their undertaking before the registry. Applicant No.5 shall submit the individual's usual undertakings of Applicant Nos. 2 to 4 and 6 to the registry. Their personal appearance is exempted.

8. The application is disposed of accordingly.

(ABHAY J. MANTRI, J.)