



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

CIVIL APPLICATION (CAF) NO. 751 OF 2025

IN

FIRST APPEAL (STAMP) NO. 14966 OF 2024

(V.I.D.C., Amravati ..vs.. Punjab Shrawan Kurwade 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. M.A. Kadu, Advocate for the appellant,
Mr. P.L. Rathi, Advocate h/f. Mr. A.P. Deshmukh, Advocate for respondent No.1,
Ms. M.R. Kavimandan, A.G.P. for respondent Nos.2 and 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 10-07-2025

The applicant/appellant has moved this application for condonation of a delay of 45 days caused in filing the appeal, for which the learned Advocate for respondent No. 1 and the learned Assistant Government Pleader for respondent Nos. 2 and 3 have given no objection.

2. Having considered the reasons disclosed in the application as well as the no objection given by the other side, the application is allowed as prayed. Delay of 45 days in filing the appeal is condoned. The appeal be registered.

First Appeal (Stamp) No. 14966/2024.

Heard.

2. Issue notice to the respondents, returnable in four weeks.

3. Mr. Rathi, learned Advocate holding for Mr. A.P. Deshmukh, Advocate, waives service of notice for respondent No.1.

4. Ms. M.R. Kavimandan, learned Assi. Govt. Pleader waives service of notice on behalf of respondents Nos. 2 and 3.

5. Call for the record and proceedings.

Civil Application No. 2410 of 2025.

Applicant/respondent No.1 has filed this application to permit him to withdraw the compensation amount deposited by the appellant in this Court, for which learned Counsel for the appellant has given no objection for the withdrawal of 75% of the total compensation.

2. Considering the reasons disclosed in the application, as well as no objection of the learned Counsel for the appellant, the application is partly allowed.

3. The applicant/respondent No.1 is permitted to withdraw 75% of the compensation amount along with interest accrued thereon as under :

Applicant/respondent No.1 is permitted to withdraw 50% amount along with accrued interest thereon upon furnishing a usual undertaking to the Court and 25% amount along with accrued interest thereon upon furnishing a solvent surety/security to the satisfaction of the Registrar.

4. In view of the same, Registrar (J) is directed to transfer the said compensation amount in the bank account of applicant/respondent No.1 as per the award on his furnishing usual undertaking, surety and his bank account details.

5. Application stands disposed of accordingly.

Civil Application No. 752/2025

This is an application for the grant of a stay to the effect and operation and execution of the judgment and order dated 28-03-2024 passed in Land Acquisition Case No.4156/2020.

2. The learned Advocate for the appellant submitted that pursuant to the order dated 05-03-2025, the appellant has deposited the entire decretal amount along with accrued interest thereon, therefore, the appellant has prayed for grant of stay by disposing the application, for which the learned Advocate for respondent No. 1 and learned Assistant Government Pleader for respondent Nos. 2 and 3 have given no objection.

3. In view of the same, the application is allowed in terms of prayer clause (i) and is disposed of accordingly.

(ABHAY J. MANTRI, J.)

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