



IN THE HIGH COURT OF JUDICATURE AT BOMBAY : NAGPUR BENCH :  
NAGPUR.

WRIT PETITION NO. 1692 OF 2025

*PRAVIN S/o MAHADU DHOLE*

***VERSUS***

*SUB-DIVISIONAL OFFICER / COMPETENT AUTHORITY, N.H. NO.61 AND OTHERS*

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Office Notes, Office Memoranda of Coram,  
appearances, Court's Orders or directions and  
Registrar's order  
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Court's or Judge's Order

Mr. R. N. Ghuge, Advocate for the petitioner  
Mrs. M. S. Naik, A.G.P. for respondent no.1

**CORAM : ANIL L. PANSARE, J.**

**DATE : MARCH 27, 2025.**

1. Heard.
2. Challenge is to the order dated 01.02.2025 passed by the learned Joint Civil Judge, Senior Division, Washim, below Exh.40 in Land Acquisition Case No. 104/2020, thereby rejecting the application filed by the petitioner seeking withdrawal of the amount of compensation.
3. The trial Court noted that until the reference and the dispute as regards apportionment of the amount is decided, the compensation deposited with the Court cannot be disbursed in favour of the applicant.
4. Learned counsel for the petitioner submits that there is no question of reference here, because the suit was filed before the trial Court. He submits that the suit filed by respondent no.2 (respondent no.3 herein) being Regular Civil Suit No. 58/2020 has been disposed of and therefore, the amount of compensation could be given to him.
5. The trial Court noted that though the suit is disposed off, the Division Bench of this Court in Writ Petition No. 320/2021, filed by the petitioner, refused to permit withdrawal of the

amount of compensation on the ground that reference viz. LAR No.104/2020 is pending before the Civil Judge, Senior Division, Washim.

6. Thus, according to the trial Court, since the Division Bench has refused the request of the petitioner to withdraw the amount pending reference, the same cannot be granted. The Division Bench has passed the order on 05.04.2024 and the suit between the parties has been disposed off on 02.05.2022. Thus, there is no change in the status.

7. That being so, I do not find any error in the aforesaid approach. No interference is, therefore, called for in the supervisory jurisdiction under Article 227 of the Constitution of India.

8. The writ petition is accordingly dismissed in limine. No order as to costs.

**(Anil L. Pansare, J.)**

*Diwale*