



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 438 OF 2026
IN
FIRST APPEAL STAMP NO. 19428 OF 2025**

Ashok Ramchandra Ambre .. Applicant

Versus

The Executive Engineer and others .. Respondents

Shri Satyajeet S. Dixit, Advocate for the Applicant.

Mrs. Chaitali R. Kutti – Choudhari, Advocate for the Respondent No. 1.

Shri S. N. Morampalle, A.G.P. for the Respondent Nos. 2 and 3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 18TH FEBRUARY, 2026.**

FINAL ORDER :

. Applicant seeks to withdraw amount of Rs. 23,01,750/- deposited by the respondent – acquiring body.

2. Learned counsel for the applicant submits that the enhancement is within four times and entire amount shall be disbursed to his client.

3. Learned counsel Mrs. Choudhari – Kutti appears for the respondent No. 1 – acquiring body and opposes the submissions. It is submitted that huge compensation is granted to the fruit bearing trees. She requests that entire amount shall not be

disbursed.

4. In the present case the Special Land Acquisition Officer offered compensation of Rs. 7,25,329/- towards land as well as well. No compensation is granted to the trees. The Reference Court enhanced the compensation to Rs. 14,00,745/-. The compensation for well has not been increased. Whereas for the fruit bearing trees compensation of Rs. 2,98,245/- is awarded. The compensation for land is enhanced from Rs. 5,84,640/- to Rs. 11,02,500/-. Apparently the enhancement is within four times and the appeal should not have been filed.

5. This Court finds it appropriate to permit the applicant to receive the amount. The civil application is allowed permitting the applicant to receive the amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court. The above referred amounts are excluding the amount of interest and statutory benefits. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Feb. 26