



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 CIVIL APPLICATION NO. 9242 OF 2025
IN FA/2942/2022
WITH
CIVIL APPLICATION NO. 9779 OF 2016
IN FA/2942/2022

PADMAKAR DAGADU CHAVAN

VERSUS

THE EXECUTIVE ENGINEER, UPSA SINCHAN VIBHAG, OSMANABAD AND
ANR

...

Advocate for Claimant : Mr. Patil Vishnu Yadavrao

Advocate for Acquiring Body : Mr. Atul R. Kale

A.G.P. for State : Mr. S.N. Morampalle

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 12.01.2026

PER COURT :

CIVIL APPLICATION FOR WITHDRAWAL

Heard both sides.

2. The applicant seeks to withdrawn amount of Rs. 10,48,006/- deposited by the respondent-Acquiring Body.
3. The learned counsel Mr. Kale for the Acquiring Body opposes for withdrawal of the amount. According to him the sale exemplar pressed into service cannot be relied upon. He would submit that exorbitant compensation has ben awarded and therefore entire amount may not be disbursed.
4. The enhancement granted by the Reference Court is about five times. The interest appears to have been included up to July 2024. The award

passed by the Reference Court was on 06.02.2012. Ends of justice would be met in permitting the applicant to receive 75% of the amount with accrued interest on furnishing undertaking and 25% of the amount with accrued interest on furnishing solvent surety/security.

5. The Civil Application is partly allowed permitting the applicant to receive 75% of the deposited amount with accrued interest on furnishing undertaking and 25% of the deposited amount with accrued interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

6. The Civil Application is disposed of.

FIRST APPEAL

7. **Admit.** Learned counsel for the Claimant waives service.

8. Call for record and proceedings.

9. Print is dispensed with.

CIVIL APPLICATION FOR STAY

10. As the entire amount is deposited, ad interim relief granted earlier, shall stand confirmed.

11. The Civil Application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-