



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

**969 CIVIL APPLICATION NO. 13122 OF 2025
IN ARBA/21/2025**

Nareshkumar Zaverilal Jain Thru. Lrs. Karishma Nareshkumar Jain And Ors.
VERSUS

National Highway Authority India, Piu, Dhule Represented By Its Project
Director

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Advocate for Applicant : Mr. Pingale Durgesh Madhukar

Advocate for Respondent-UOI : Mr. N. U. Yadav

Advocate for original applicant in ARBA 21/2025 : Mr. D. S. Manorkar

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CORAM : ARUN R. PEDNEKER, J.

Dated : March 06, 2026

PER COURT :

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the applicant submits that the applicant's land is acquired by the authority and compensation was determined under Section 3-G(1) at the rate of Rs.205/- per square meter, which amount has already been received by the applicant. Thereafter, an application for arbitration was filed under Section 3-G(5), and the learned Arbitrator enhanced the compensation to Rs.1,840/- per square meter. The National Highways Authority of India thereafter filed an application under Section 34 challenging the arbitral award, which came to be dismissed. Being aggrieved by the said dismissal, the appeal has been filed before this Court by depositing 100% of the awarded amount. The Civil Application No.13122 of 2025 is filed seeking withdrawal of the said amount.
3. The learned Counsel appearing for the National Highways Authority of India submits that if the applicant is permitted to withdraw the amount, the

same should be secured by way of a bank guarantee.

4. *Per contra*, the learned Counsel for the applicant submits that the applicant is a poor agriculturist whose land has been acquired and he is not in a position to furnish a bank guarantee.

5. Considering the submissions advanced by the learned Counsel for the parties, the applicant is permitted to withdraw 30% of the amount deposited in this Court on an undertaking and a further 20% upon furnishing a bank guarantee. Thus, in total, the applicant is permitted to withdraw 50% of the amount deposited in this Court along with accrued interest.

6. In view of the above, the Civil Application is accordingly disposed of.

7. List the Arbitration Appeal No.21 of 2025 for hearing on 27/04/2026.

(ARUN R. PEDNEKER, J.)

vj gawade/-.