



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13718 OF 2025
IN ARBAST/23547/2025

BHISANCHAND DALCHAND AGRAWAL
VERSUS

1 NATIONAL HIGHWAY AUTHORITY OF INDIA PROJECT DIRECTOR
SHRI SHIVAJI VASANT PAWAR AND ANOTHER

Advocate for Applicant : Mr. Ajeet B. Kale

WITH
CIVIL APPLICATION NO. 8425 OF 2025
IN ARBAST/23547/2025
WITH
CIVIL APPLICATION NO. 8423 OF 2025
IN ARBAST/23547/2025

CORAM : SACHIN S. DESHMUKH, J.

Date : 18th February, 2026

ORDER :-

1. The learned counsel for applicant submits that pursuant to the order dated 12.08.2025 in Civil Application No. 8425 of 2025, this Court was pleased to stay the execution of the arbitral award, subject to condition that appellant / NHAH deposits 50% of the excess amount of compensation.

2. Accordingly, the appellant has deposited 50% amount i.e. Rs. 3,50,611.50/-. The applicant seeks withdrawal of the said amount.

3. Heard the learned counsel for applicant and perused

the material on record. Considering that the applicant's entitlement to compensation was initially determined by the Competent Authority, subsequently enhanced by the Arbitrator, and thereafter upheld following a challenge under Section 34 of the Arbitration and Conciliation Act, 1996, the right to the said amount is established.

4. Considering the proceedings and the pressing humanitarian grounds, specifically, that the applicant is suffering from malignancy, I am inclined to permit the withdrawal of the amount so deposited by the Respondent - NHAI.

5. In view of the deposit made in compliance with this Court's order and considering the compensatory nature of the award, the application for withdrawal of amount is **allowed**. The applicant is permitted to withdraw the amount of Rs. 3,50,611.50/- along with accrued interest, if any.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi