



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**955 CIVIL APPLICATION NO. 2619 OF 2026
IN CARBA/1/2023**

MORYA INFRASTRUCTURE PVT LTD THROUGH DIRECTOR
BHASKAR TUKARAM WAGHMARE

VERSUS

THE STATE OF MAHARASHTRA THRU. PUBLIC WORKS
DEPARTMENT THRU. ITS EXECUTIVE ENGINEER

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Advocate for Applicant : Mr. Singh J.N.

AGP for Respondent/State : Mr. P.K. Lakhotiya

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CORAM : NITIN B. SURYAWANSHI AND

VAISHALI PATIL-JADHAV, JJ.

DATED : 17th APRIL, 2026.

ORDER :

. This application is filed for withdrawal of amount of Rs.1,98,30,000/- deposited in the Commercial Court, Beed with accrued interest thereon.

2. This Court by judgment and order dated 11.02.2026 has dismissed the Commercial Arbitration Appeal filed by the respondent confirming the award.

3. Opposing the Civil Application, learned A.G.P submits that the proposal for filing S.L.P is sanctioned and they are likely to file the S.L.P within 8 to 15 days.

4. Taking into consideration the award is passed in the year 2018 and so far the applicant has withdrawn Rs.1,00,00,000/- out of the 50% award amount deposited by the respondent, the Civil Application deserves to be allowed as follows :-

ORDER

(i) The civil application is partly allowed.

(ii) For the present, the applicant is permitted to withdraw an amount of Rs.98,30,000/- alongwith proportionate accrued interest on furnishing the solvent surety/security to the satisfaction of the Registrar (Judicial).

(iii) The applicant is at liberty to file Civil Application for withdrawal of remaining amount after the decision of S.L.P

(VAISHALI PATIL-JADHAV,J.)

(NITIN B. SURYAWANSHI,J.)

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