



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3927 OF 2026 IN
FIRST APPEAL (ST.) NO.17263/2023

Sanjay Sukalal Chaudhari,
Died, through L.Rs.
Latabai Sanjay Chaudhari & ors.

....Applicants

VERSUS

The Executive Director, Tapi Irrigation
Development Corporation, Jalgaon & ors.

....Respondents

.....
Mr. A.H. Koralkar, Advocate for applicants
Mr. A.D. Pawar, Advocate for R.No.1 and 2
Mr. B.A. Shinde, A.G.P. for R.No.3
.....

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 24th APRIL, 2026

ORDER :

1. This civil application is filed by the applicant- claimants seeking withdrawal of the amount deposited in this Court.

2. Learned Advocate for the Acquiring Body Mr. Pawar places reliance on an order passed by this Court in Civil Application No.1765/2021 along with connected matters arising from the same acquisition proceeding for the same project, wherein this Court had granted stay on depositing 50% amount as per the award. He further submits that, this Court in those cases has subsequently allowed the

claimants therein to withdraw entire amount deposited in this Court as per order dated 22/4/2022. He thus submits that, in the present case also entire amount needs to be allowed to be withdrawn. There is case made out on merit to show that the compensation is awarded at exorbitant rate. The SLAO awarded Rs.2,53,000/- per Hectare, which is enhanced by learned Reference Court to Rs.753/- per sq.mtr., total amounting to Rs.75,30,000/-, observing that the land is having NA potential. He submits that, no NA permission is granted.

3. Learned counsel for the applicants- claimants submits that the properties acquired are situated in the vicinity of Erandol Municipal Council limits, having NA potential. Considering that aspect, learned Reference Court has passed the award. The applicants- claimants are also intending to file cross-objection seeking enhancement in the amount of award.

4. Learned counsel Mr. Koralkar for the applicants submits that, the total amount of award is Rs.1,75,21,512/-, 50% of which comes to Rs.87,60,756/-. However, the respondent acquiring body has deposited amount of Rs.78,00,000/- in this Court. Therefore, the applicants may be permitted to withdraw the said amount of Rs.78,00,000/- deposited by the acquiring body.

5. The learned counsel for the acquiring body submits that,

considering that the enhancement is on higher side, the entire amount of Rs.78,00,000/- deposited need not be allowed to be withdrawn by the applicants.

6. Considering the earlier order passed by this Court in the matters arising out of same project, this Court finds it proper to allow the applicants to withdraw the entire amount of Rs.78,00,000/- deposited by the acquiring body along with the accrued interest.

6. Considering the above, this application for withdrawal of amount is allowed. The applicants are permitted to withdraw the entire amount of Rs.78,00,000/- deposited, along with accrued interest, on furnishing usual undertaking to this Court. The undertaking be filed before the learned Registrar (Judicial) of this Court.

7. The Civil Application for withdrawal of amount is accordingly allowed and stands disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

fmp/-