



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAF] No.109 of 2026
in
First Appeal No.403 of 2023

Vidarbha Irrigation Development Corporation, Amravati
vs.

Yogesh Wamanrao Katolkar and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mrs. S.W. Deshpande, Advocate for the Applicant/Respondent No.1.
Mr. P.B. Patil, Advocate for the Non-Applicant/Appellant.
Mr. M.A. Kadu, A.G.P. for Non-Applicant/Respondent Nos.2 & 3.

CORAM : **Y.G. KHOBRAGADE, J.**
DATE : **22nd APRIL, 2026.**

Heard the learned Counsel appearing for the parties.

02. By the present application, applicant-respondent No.1 (claimant) seeks permission to withdraw an amount of Rs.3,66,241/- along with accrued interest thereon.

03. The learned Counsel for the applicant canvassed that, on 19/05/2022, the learned Presiding Officer, Land Acquisition, Resettlement and Rehabilitation Authority, Nagpur passed a judgment and award in Case No.1124/AMT/AMT/2018 and enhanced the amount of compensation for the acquired land bearing Survey No.349, admeasuring 0.81 HR, situated at Mouza Ganori, Tahsil Bhatkuli, District Amravati. In pursuance of the said award, the appellant-acquiring body deposited the entire amount of compensation to the tune of Rs.8,11,255/-. Out of the said amount, the applicant-claimant has already withdrawn an amount of Rs.4,45,014/- on 13/08/2025. However, it is submitted that the claimant is in need of the remaining amount to meet the educational expenses of his children. Hence, permission is sought to withdraw the said amount.

04. The learned Counsel appearing for the appellant strongly opposed the application on the ground that the applicant-claimant has already withdrawn more than 60% of the award amount and no *bona fide* or substantial reason has been assigned. Hence, he prayed for rejection of the application.

05. Needless to state that the appellant-acquiring body has already deposited compensation of Rs.8,11,255/- in pursuance of the judgment and award dated 19/05/2022, and the applicant-claimant has already withdrawn an amount of Rs.4,45,014/- vide order dated 13/08/2025 passed by this Court in Civil Application [CAF] No.630/2024. Though the applicant-claimant contends that he is in need of money to meet the educational expenses of his children, nothing has been specified, whether his children are going to take admission in the professional course and, therefore, he is in need the said amount. Therefore, in case the impugned judgment and award is modified, it would not be possible for the acquiring body to recover the said amount from the applicant-claimant. Therefore, I am not inclined to grant the present application.

06. Accordingly, the civil application is hereby rejected.

JUDGE

**sandesh*