



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

CIVIL APPLICATION (CAF) NO. 302 OF 2026

IN

FIRST APPEAL NO. 1032 OF 2023

Vidarbha Irrigation Development Corporation

Vs.

Madhukar Pandurang Jolhe (dead) through LRs.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. A. S. Athalye, Advocate for appellant.
Shri Ashish B. Nakshane, Advocate for respondent no. 1 (a & b)
Shri M. A. Kadu, AGP for respondent nos. 2 and 3/State.

CORAM :- Y. G. KHOBRAGADE, J.

DATED :- 24.04.2026

Heard Ms. A. S. Athalye, learned counsel appearing for the appellant- acquiring body, Shri A. B. Nakshane, learned counsel appearing for respondent no. 1(a & b) and Shri Kadu, learned AGP for the State at length.

2. By the present application, respondent nos. 1(a & b) seeks permission to withdraw the entire amount of compensation awarded under the judgment and award dated 29.02.2020 passed in LAC No. 29/2011 by the 2nd Jt. Civil Judge Senior Division, Yavatmal deposited before this Court in pursuance of the order dated 30.10.2023 passed by this Court in Civil Application No. 3396/2023.

3. The application is strongly opposed by the learned counsel appearing for the appellant.

4. Considering the reasons mentioned in the application, I am inclined to grant the present application and permit respondent nos. 1 (a & b) to withdraw 75% of the compensation amount along with accrued interest to be deposited in their respective bank account on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

5. The application is disposed of accordingly.

(Y. G. KHOBRADE, J.)