



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

FIRST APPEAL NO. 167/2026
DEPUTY CHIEF ENGINEER (CONSTRUCTION) CENTRAL RAILWAY
VS SHRI SUBHASH S/O MAROTRAO VAIDYA AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Snheha Padwelkar, Adv. h/f Mr. V.M.Gadkari, Advocate for appellant.
Ms. P.D.Pisurde, Advocate for respondent nos.1
Mr. G.S.Umale, AGP for respondent nos.2 and 3.

CORAM: Y. G. KHOBRADE, J.

DATED : 08/05/2026

1. By the present appeal, the appellant-acquiring body takes exception to the judgment and award dated 27.9.2019 passed in LAC No.176/2024 by learned Civil Judge Senior Division, Wardha about grant of exorbitant compensation.

2. **Admit.**

3. Call R & P.

4. The Appellant to file private paper book within a period of 12 weeks from today.

CAF NO.4661/2026

5. By the present application, the non-applicant no.1/original claimant seeks permission for withdrawal of entire amount of compensation awarded under the judgment and award dated 27.9.2019 passed in LAC No.176/2024 by learned Civil Judge Senior Division, Wardha, deposited by the appellant-acquiring body in pursuance of the order dated 4th April, 2025.

6. The learned counsel appearing for the appellant strongly opposed the application.

7. Considering the fact that the appellant-acquiring body acquired land of the present non-applicant for the public project and the learned Trial Court determined the compensation, which has been deposited by the appellant before this Court. Therefore, considering the nature of claim as well as to meet the financial crisis, respondent no.1/land owner is permitted to withdraw 50% of compensation with accrued interest on furnishing usual undertaking and 25% amount on furnishing surety to the satisfaction of the Registrar (Judicial) of this Court. Accordingly, Civil Application stands disposed of.

(Y.G.KHOBRADE, J.)

Mukund Ambulkar