



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

CIVIL APPLICATION NO.1458 OF 2026

IN

FIRST APPEAL NO.1487 OF 2025

**Santosh S/O Prabhakar Dhakate Vs. Smt. Muktabai Wd/O Rambhau
Chaudhari 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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Mr. V.V. Dhande, Advocate for the Appellant.
Mr. T.S. Munghate, Advocate for Respondent Nos.1 to 4.
Mr. D.M. Kale, Advocate for Respondent No.5.
Mr. N.M. Kolhe, Advocate for Respondent No.6.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 08th MAY, 2026

1. By this application, the applicants/respondent Nos.1 to 4 seeks modification of order dated 02.02.2026 passed by this Court and prays for permission to respondent Nos.1 to 4 i.e. claimants to withdraw the amount of compensation deposited by the appellant in the First Appeal.

2. Learned counsel for the applicants/respondent Nos.1 to 4 states that although on 02.02.2026, he had made a statement that, at that stage, the respondents were not taking any steps for withdrawal of the amount, however, now, in view of need for withdrawal of amount, the respondent Nos.1 to 4 desire to withdraw the amount, which is deposited by the appellant towards compensation.

3. Having regard to the contents of the application and submissions advanced, the civil application is **allowed**.

Applicants/Respondent Nos.1 to 4 are permitted to take steps for withdrawal of the amount deposited by the appellant as well as by the respondent No.5-Executive Engineer, M.S.E.D.C.L., Babupeth, Chandrapur, in the pending appeal.

4. As regards, the prayer for withdrawal of the amount in this case, considering the reasons mentioned and the fact that the amount is deposited towards compensation which is to be paid to the original claimants, at this stage, the applicants/respondent Nos.1 to 4 are entitled to withdraw 50% of the amount deposited by the appellant in First Appeal No.1487 of 2025 alongwith accrued interest, subject to furnishing usual undertaking.

5. In view of above, civil application is **disposed of**.

(PRAFULLA S. KHUBALKAR, J.)

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