

**ORDER BELOW EXH.1**

Read the application. Say not filed by non-applicants. Perused report of concerned clerk as well as report of Asst. Supdt. (Nazir). Heard Ld. counsel for the applicant. Non-applicants and their Advocate are absent when matter was called out repeatedly.

2. The present application is filed on behalf of applicant for withdrawal of compensation amount. The applicant submitted that non-applicants have deposited compensation amount of ₹7,93,527/- in the court. So, prayed for granting permission for withdrawal of compensation amount. The Asst. Supdt. (Nazir) submitted report that an amount of ₹7,93,527/- is deposited in the Court vide C.C.D.No.87 on 01/06/2026 in L.A.C. No.197/2010. The concerned clerk has given report that he has perused L.A.C. Institution Register. He has not found any entry regarding pendency of appeal or stay order. Non-applicants never filed reply nor objection on behalf of acquiring body.

3. Thus, from the contention in the application as well as report of Asst. Supdt. (Nazir), it is clear that non-applicants have deposited an amount of ₹7,93,527/- in the court. The present application is supported by affidavit of applicant, contending that he has not received any summons regarding filing of any other appeal in the appellate Court. Furthermore, in the said matter there is no stay order. If there is no interim stay granted in appeal, the Court cannot impose a condition of furnishing bank guarantee on the applicant. In this matter also there is no stay from Hon'ble High Court. Hence, there is no necessity to obtain bank guarantee from the applicant. In such circumstances, the permission can be granted to withdraw the said compensation amount by the applicant. Hence, I pass following order.

ORDER

- 1) The application is allowed.
- 2) The applicant is permitted to withdraw the compensation amount of ₹7,93,527/- (Seven Lakh Ninety three Thousand Five Hundred Twenty seven only) with interest, if any, on proper identification through his Advocate.
- 3) The Asstt. Supdt (Nazir) to see necessary compliance in that regard as per the provision of law and to pay the amount of ₹7,93,527/- (Seven Lakh Ninety three Thousand Five Hundred Twenty seven only) with interest, if any, to the applicant on his proper identification through the Advocate as per legal procedure.
- 4) The applicant is directed to submit undertaking/ indemnity bond relating to withdrawal of amount with photo ID.

Yavatmal.
Date- 27/07/2026

(A.S.Pandagle)
3rd Jt Civil Judge Sr. Division,
Yavatmal.