



ORDER BELOW EXH. NO. 17 IN ARB.CASE NO. 65/2025.
(N.H.A. of India Vs. Shivraj & Ors.)
CNR No. MH/A010044852025

01. Respondent No. 1 has filed present application contending that applicant N.H.A. has deposited 50% of the compensation amount awarded by the Arbitrator, in view of the order passed by this court on 09.02.2026. It is further contended that land of respondent no. 1 came to be acquired, due to which he is facing many financial problems and if partial amount of compensation is not paid to him, at the earliest, then it will be difficult for him to survive. Applicant filed say below Exh. 19 and opposed the application.

02. Record particularly report of Nazir indicates that applicant has deposited 50% of compensation amount awarded by Arbitrator which comes Rs.34,84,192/- in the Court in view of order passed below Exh.5 by this Court on 09.02.2026.

03. It is useful to note that in S.L.P. cases 12409/2022 and 18804/2022, the Hon'ble Supreme Court permitted to withdraw 50% amount in like matters. It is also useful to note that in W.P. Nos. 3863/2021 and 13866/2021, the Hon'ble Bombay High Court permitted to withdraw 50% amount in like matters.

04. It is not in dispute that land of respondent no. 1

came to be acquired by applicant, due to which he must have been facing financial problems. It appears that prayer of respondent no. 1 is reasonable, as he wanted to withdraw only 50% amount of awarded compensation by Arbitrator. Moreover, the Hon'ble Bombay High Court and the Hon'ble Supreme Court have granted such type of relief in such type of matters.

05. In view of above, present application needs to be allowed on the condition that respondent No. 1 will furnish necessary undertaking on affidavit that, if appeal is allowed, then they will repay the said amount in the Court. Hence, I proceed to pass the following order.

ORDER

- 1) Application Exh. 17 is allowed. Respondent no. 1 is directed to furnish necessary undertaking on affidavit before this Court.
- 2) After furnishing undertaking, Office is directed to disburse the amount of Rs.34,84,192/- (Rs. Thirty-four Lacs Eighty-four Thousands One-hundred and ninety-two only) to the respondent No. 1 Shivraj Sadashiv Shete, R/o Chakur, Dist. Latur, after due verification as per rules.

(S.J. Bharuka)

Date: 14.07.2026.

Principal District Judge, Latur.