



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

CIVIL APPLICATION [CAF] NO.2356 OF 2026

IN

FIRST APPEAL NO.1072 OF 2025

[Vidarbha Irrigation Department Corporation .vs. Vinayakrao s/o Sheshraoji Diwate and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.K. Bhoyar, Advocate for Appellant.
Mr. Vikky S. Gokhale and Mr. Pawan P. Sarise, Advocates h/f Mr. R.J. Shinde, Advocate
for 1-A to 1E.
Ms. M.A. Kavimandan, AGP for Respondent Nos.2 and 3.

CORAM : PRAVIN S. PATIL, J.

DATE : 17-06-2026.

1. By this application, the applicant is seeking permission to withdraw the amount of Rs.14,52,856/- which is deposited by the appellant before this court.

2. The respondent-claimants states that they are prosecuting their cause since long and their land being acquired they are in dire need of the compensation amount. The applicants further state that they being the agriculturist and having no source of income, the amount deposited by the appellant needs to be disbursed in their favour.

3. The learned counsel for the appellant has strongly raised objection in the matter. According to him, the learned Reference Court, without considering the legal position, has awarded exorbitant amount and, therefore, the respondent-claimants cannot be allowed to withdraw the entire amount.

4. In the facts and circumstances, the respondent-claimants are permitted to withdraw 75% of amount out of



Rs.14,52,856/- subject to furnishing an usual undertaking for 50% of the amount and for 25%, they shall furnish the solvent surety. The respondent-claimants are permitted to withdraw the amount through power of attorney as stated in the application.

5. The application stands disposed of.

Civil Application No.4784/2025

1. In view of the deposit of the entire decretal amount by the appellant before this court, there shall be stay to the effect and operation of the impugned judgment dated 29.11.2022 passed by the learned Joint Civil Judge, Senior Division, Achalpur in Land Acquisition Case No.148/2017, till the final disposal of the present appeal.

2. The application stands disposed of.

(PRAVIN S. PATIL, J.)