

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.7498 OF 2015
IN
FIRST APPEAL NO.1493 OF 2014

Vinayak Ganpatrao Machile ... Applicant

Versus

The State of Maharashtra ... Respondents
and another

Advocate for Applicant : Mr. Patil Milind M. (Beedkar)
AGP for Respondents: Shri P.N.Kutti

**CORAM : S V GANGAPURWALA, J.
Dated: 16th October 2015**

PER COURT :-

1. This is an application seeking release of bank guarantee. The executing Court directed to pay the amount to Decree Holder on furnishing bank guarantee. In fact, this Court had granted , as such the order permitting the applicant to withdraw the amount passed by the executing Court on 5th March 2011 stands quashed and set aside. In the result, I pass following order.

2. The applicant is allowed to withdraw 50% of the amount deposited on submitting an undertaking to this Court that, in the event appeal is allowed and the applicant is directed to deposit the amount, he shall deposit the same within a period of one month.

3. The applicant is further allowed to withdraw 25% of the amount deposited on furnishing solvent security/surety of the like

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amount.

4. Remaining 25% of the amount deposited be kept in fixed deposit of any Scheduled Bank.

5. The civil application is disposed of.

(S V GANGAPURWALA, J.)