

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

CIVIL APPLICATION NO. 4394 OF 2015

IN

FIRST APPEAL NO. 1635 OF 2013

Laxmibai w/o Gundappa Bargale
(deceased through LRs)

.. APPLICANTS

VERSUS

Babulal Chunill Brahmecha
& others

.. RESPONDENTS

Mr. N.V. Gaware, advocate holding for Mr. G.K. Sontakke, advocate for applicants.

Mr. S.V. Natu, advocate for respondent no. 1.

Mr. B.N. Patil, advocate for respondent no. 3.

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**CORAM : R.M. BORDE &
V. K. JADHAV JJ.**

DATE : 17th APRIL, 2015.

PER COURT :

1. Applicants are seeking modification to the order passed by this Court on 31.10.2014 in Civil Application no. 8375/2014. Applicants are permitted to withdraw 25% amount out of the amount deposited by the acquiring body by furnishing solvent security to the satisfaction of the Executive Court. Applicants contend that instead of furnishing solvent security they are prepared to submit bank guarantee of nationalised or scheduled bank.

2. In view of the statement, applicants shall be permitted to withdraw 25% amount out of the amount deposited by the acquiring body with the reference Court on furnishing bank guarantee of nationalised or scheduled bank for the like amount. Save and except the modifications referred above,

rest of the order dated 31.10.2014 shall remain unchanged. Civil application stands disposed of.

(V.K. JADHAV)
JUDGE

(R. M. BORDE)
JUDGE

dyb