

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

**CIVIL APPLICATION NO. 2644 OF 2016
IN
CIVIL APPLICATION NO. 13389 OF 2015
IN
FIRST APPEAL NO. 66 OF 2015**

Jijabai Kashinath Sonawane .. Applicant
Versus
The State of Maharashtra and another .. Respondents

**WITH
CIVIL APPLICATION NO. 2646 OF 2016
IN
CIVIL APPLICATION NO. 13387 OF 2015
IN
FIRST APPEAL NO. 65 OF 2015**

Asarabai Dodha Died through her
L.Rs. Shantabai and others .. Applicants
Versus
The State of Maharashtra and another .. Respondents

**WITH
CIVIL APPLICATION NO. 2648 OF 2016
IN
CIVIL APPLICATION NO. 13398 OF 2015
IN
FIRST APPEAL NO. 64 OF 2015**

Dagdusing Bhikan Zurawat .. Applicant
Versus
The State of Maharashtra and another .. Respondents

WITH
CIVIL APPLICATION NO. 2649 OF 2016
IN
CIVIL APPLICATION NO. 13391 OF 2015
IN
FIRST APPEAL NO. 62 OF 2015

Sardarsing Govind Zurawat and others .. Applicants
Versus
The State of Maharashtra and another .. Respondents

WITH
CIVIL APPLICATION NO. 2650 OF 2016
IN
CIVIL APPLICATION NO. 13396 OF 2015
IN
FIRST APPEAL NO. 63 OF 2015

Govind Bhikan Zurawat .. Applicant
Versus
The State of Maharashtra and another .. Respondents

Shri N. R. Thorat, Advocate for the Applicants in all matters.
Shri S. B. Pulkundwar, A.G.P. for the Respondent No. 1 in all matters.

CORAM : S. V. GANGAPURWALA, J.
DATE : 10TH JUNE, 2016.

PER COURT :

. The present applications are filed for modification of order passed by this Court in civil applications filed by applicants for withdrawal of amount.

2. Mr. Thorat, the learned counsel submits that, the applicants are agriculturist, as such it will not be possible for them to furnish bank guarantee for 25% of amount allowed to be withdrawn. The applicants are farmers. In many matters this Court has allowed the withdrawal on solvent surety also.

3. I have heard the learned Assistant Government Pleader also.

4. The order allowing withdrawal is discretionary order. At the time of passing order of withdrawal, I had considered quantum of enhancement granted by the Reference Court and, thereafter allowed the applicants to withdraw 50% of the amount on undertaking, 25% of the amount on solvent surety and only remaining 25% amount was allowed to be withdrawn on bank guarantee.

5. Considering the above, prayers made by applicants cannot be considered. As such civil applications are disposed of.

[S. V. GANGAPURWALA, J.]