

FARAD CONTINUATION SHEET NO.
 IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 APPELLATE SIDE, BENCH AT AURANGABAD
CIVIL APPLICATION NO.9430 OF 2016
IN
CIVIL APPLICATION NO.12958 OF 2015
IN
FIRST APPEAL NO.872 OF 2014

**Smt.Suman Dashrath Kerulkar and others Vs. The State of
 Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.D.R.Jayabhar, advocate for the Applicant.
 Mr.S.M.Ganachari, A.G.P. for the State.
 Mr.J.R.Patil, advocate holding for Mr.G.B.Rajale,
 advocate for Respondent No.1.

CORAM : S.V.GANGAPURWALA, J.
Date : 15.07.2016.

PER COURT :

1. Heard.
2. The present Civil Application is filed for modification of the order dated 9.10.2015 passed in C.A.No.12958/2015. The learned counsel for the applicant submits that in matter arising out of the same acquisition proceedings and similar enhancement granted by the Reference Court, this Court has allowed withdrawal of 50% of the amount on undertaking and 25% on submitting solvent security/surety. Remaining 25% is directed to be kept in Fixed

Deposit.

3. The learned counsel for the non-applicant does not dispute this position.

4. In view of that, the order dated 9.10.2015 is modified to the extent that the applicant is allowed to withdraw 50% of the amount deposited without any security and on submission of undertaking to this Court. The applicant is allowed to withdraw 25% of the amount on submission of solvent security/surety of like amount and remaining 25% of the amount be kept in Fixed Deposit of any Nationalised Bank.

5. The order dated 9.10.2015 in C.A.No.12958/2015 is modified to the aforesaid extent.

6. The Civil Application is disposed of.

(S . V . GANGAPURWALA, J .)

Dt.14.07.2016.
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