

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CIVIL APPLICATION NO. 10806 OF 2016
IN FA/848/2005

VASARAM HARCHAND CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

ALONGWITH
CIVIL APPLICATION NO. 10809 OF 2016
IN FA/847/2005

ALONGWITH
CIVIL APPLICATION NO. 10923 OF 2016
IN FA/855/2005

ALONGWITH
CIVIL APPLICATION NO. 10951 OF 2016
IN FA/856/2005

ALONGWITH
CIVIL APPLICATION NO. 10953 OF 2016
IN FA/853/2005

ALONGWITH
CIVIL APPLICATION NO. 10992 OF 2016
IN FA/844/2005

ALONGWITH
CIVIL APPLICATION NO. 10993 OF 2016
IN FA/862/2005

AND
CIVIL APPLICATION NO. 10994 OF 2016
IN FA/849/2005

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Advocate for Applicants : Mr. Ajeet B. Kale.

AGP for Respondent / State : Mr. K. N. Lokhande / Mr. G. O. Wattamwar /
Mr. S. R. Yadav.

Advocate for Respondent No.3 : Mr. S. G. Sangale.

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CORAM : **P. R. BORA, J.**
DATE : 08th August, 2016.

P.C.:

. The Claimants have filed the present applications seeking modification in the order passed by this Court on 10th August, 2007, whereby the Claimants were permitted to withdraw certain amounts on furnishing bank guarantee in the like amount of any nationalized bank. In the present applications, the Applicants / Claimants are seeking permission to withdraw 50% of the said amount on furnishing solvent surety in the like amount and balance 50% of the said amount on a simple undertaking that in the event any adverse order is passed against them, they shall re-deposit the said amount.

2 Shri Kale, learned counsel for the Claimants has placed on record the order passed by this Court on 29th January, 2016 in the companion appeals arising out of the same acquisition proceedings bearing Civil Application No.12618 of 2015 in First Appeal No.845 of 2005 with connected matters wherein this Court had modified the earlier order thereby permitting the Claimants to withdraw 50% of the amount on furnishing solvent surety in the like amount instead of bank guarantee and to withdraw the remaining amount on furnishing undertaking to the Court that in the event of success of the appeal, the Applicant would redeposit the amount in this Court within a period of six weeks from such decision. In view of the above, the following order

is passed:

ORDER

The applications are allowed. The earlier orders are modified to the effect that the Claimants are allowed to withdraw 50% of the amount on furnishing solvent surety in the like amount in stead of bank guarantee. The Claimants are allowed to withdraw the remaining amount on furnishing undertaking to this Court that in the event of success of appeals, the Applicants would re-deposit the amount in this Court within a period of six weeks from the date of such decision.

[P. R. BORA, J.]

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