

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

964 CIVIL APPLICATION NO. 13628 OF 2016
IN FA/1003/2014

RANGRAO DIGAMBAR BHAKARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicants : Patil Pradip R.
AGP for Respondents: S.R. Yadav Lonikar
Advocate for Respondents :R. C. Patil For R/3

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CORAM : V.K. JADHAV, J.
DATE : 13-01-2017.

P.C. :

1. This is by way of speaking to the minutes.
2. The learned counsel for the applicants submits that the applicants are old aged persons and as per the order passed by this court dated 21.10.2016, the applicants are not in a position to furnish solvent surety for withdrawal of the 50% amount deposited in this court. The learned counsel submits that, applicants are senior citizens and they could not get the solvent surety though tried by them. The applicants are ready to furnish solvent security to the satisfaction of the Registrar (Judicial) and the order dated 21.10.2016 may be modified to that effect.
3. The learned counsel for the respondent-acquiring body has strongly resisted the application. The learned counsel submits that, initially the applicants were permitted to withdraw the amount

on furnishing bank guarantee and by order dated 21.10.2016, the said order is modified to the effect that the applicants are permitted to withdraw 50% of the compensation deposited before this court on furnishing solvent surety. The applicants instead of furnishing solvent surety as directed by this court again approached and filed application seeking modification in the said order.

4. It appears that the applicant nos. 1 and 2 are above 75 years of age and applicant no.4 is aged 66 years. The applicants are ready to furnish solvent security to the satisfaction of Registrar (Judicial).

5. In view of the above, the application seeking modification in the order dated 21.10.2016 is allowed and the applicants are permitted to furnish solvent security instead of the surety as permitted by order dated 21.10.2016 to the satisfaction of the Registrar (Judicial). Motion stands disposed of.

(V.K. JADHAV)
JUDGE