

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3757 OF 2016

IN

FIRST APPEAL NO.815 OF 2014

Dharma N. Koli and Others

..Applicants

(orig.claimants)

IN THE MATTER BETWEEN

The State of Maharashtra

..Appellant

(orig.opponent)

Vs

Dharma Nagu Koli and Others

..Respondents

(orig. claimants)

Mr. Sachin S. Punde, for the Applicants.

Mr. Sooraj S. Hulke, AGP,for Respondent No.1.

CORAM :- S.C. DHARMADHIKARI &

B.P.COLABAWALLA, JJ.

DATE :- DECEMBER 2, 2016.

P. C.:

Heard Mr. Punde for the Applicants. We do not see any reason to modify the condition imposed by this Court on Applicants while permitting withdrawal of the amount deposited in the trial court. The condition imposed is security in the form of

the bank guarantee should be furnished if the Applicants desire to withdraw the sum of Rs.8,57,78,313/- deposited in the reference court on 19th January, 2015. Since the condition imposed is just, fair and reasonable, we do not entertain the civil application. It is dismissed.

(B. P. COLABAWALLA, J.) (S. C. DHARMADHIKARI, J.)