

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

970 CIVIL APPLICATION NO. 2269 OF 2017
IN FA/2565/2013

DNYANOBA RAMA SUDE DIED THR LEGAL REPRESENTATIVES
MUKTABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR, LATUR
ANDANR

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Advocate for Applicants : Mr.Amit S.Deshpande
AGP for Respondent 1 : Mr. A.R. Borulkar
Advocate for Respondent 2 : Mr.S.S. Dande h/f. Mr.
S.B. Bhosale

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**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.**
DATED : February 24, 2017.

ORDER :

The application is filed for relief of releasing the bank guarantee furnished by the present applicants in view of the order made by this Court 10.1.2014 in Civil Application No. 212/2014 in First Appeal No. 2565/2013. The learned counsel for applicants produced copy of the order made by the Supreme Court in Civil Appeal No.13965/2015 arising out of S.L.P. (C) No. 24405/2014. Paragraph No. 4 of the order is as follows :-

"4. Having heard learned counsel for the parties to the lis, we are of the opinion that the prayer made by the appellants requires to be accepted and granted. Accordingly, we pass the following order :

"We direct that 50% of the enhanced compensation granted to the appellants shall be released without security whereas balance of 50% shall be released to them on furnishing security to the satisfaction of the Collector."

2. In view of the aforesaid order, bank guarantee is to be released and the documents of bank guarantee are to be returned. The application is allowed and disposed of to the extent of releasing of the bank guarantee.

3. There is liberty to the applicants to file application in respect of interest which must have been accrued.

[SANGITRAO S. PATIL, J.] [T.V. NALAWADE, J.]