

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

943 CIVIL APPLICATION NO. 3228 OF 2017
IN FA/647/2011

VASHISHTA RAMBHAU MANE
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR, BEED AND
ANR

...
Advocate for Applicant : Mr. Jayabhar Dattatraya R.
AGP for Respondent No.1: Mr. B. V. Virdhe
Advocate for Respondent No.2 : Mr. T.B. Bhosale
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CORAM : V. K. JADHAV, J.
DATED : 23rd JUNE, 2017

PER COURT:-

1. Heard both sides.
2. Learned counsel for the applicant submits that in identical matter though this court has initially directed the applicants therein to furnish Bank guarantee for withdrawal of 50% of the amount, out of the amount deposited before this court, subsequently modified the said order and directed the applicants therein to furnish the solvent surety instead of bank guarantee. Learned counsel submits that the applicants herein are not in a position to furnish the bank guarantee as directed by this Court and they are ready to furnish the solvent surety. Thus, the order dated 03.02.2012 may be modified suitably to that extent.

3. Learned counsel for the respondent acquiring body has not strongly resisted this request.

4. In view of the above submissions and the fact that this Court at later stage in identical matter, by modifying earlier order, permitted the applicants therein to furnish the solvent surety instead of bank guarantee, the applicants are also permitted to furnish the solvent surety instead of bank guarantee to withdraw the amount of 50%, as directed in earlier order dated 03.02.2012.

5. Civil application for withdrawal of the amount is disposed of.

(V. K. JADHAV, J.)

rlj/