

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

**CIVIL APPLICATION NO. 3581 OF 2017
IN
FIRST APPEAL NO. 1220 OF 2010**

Mathurabai Pandurang Bansode **Applicant.**

Versus

The Maharashtra Industrial Development
Corporation, Through Regional Officer,
M.I.D.C. Latur and another **Respondents.**

Mr. V.D. Gunale, Advocate for applicant.

Mr. S.S. Dande, Advocate for respondent No.1.

Mr. B.A. Shinde, A.G.P. for the State.

**CORAM : R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.**

Dated : 10-10-2017.

PER COURT :-

1. We have heard learned Counsel appearing for the applicant and Acquiring Body and have perused the order passed by the Supreme Court on 16.09.2015 in Civil Appeal No. 13415 of 2015 and also the order dated 18.09.2017 passed by this Court in Civil Application

No. 3689 of 2017 in First Appeal No. 2124 of 2010 and other companion matters.

2. Mr. Dande, learned Counsel for Acquiring Body has no objection if the relief is granted in favour of the applicant on the same basis on which this Court has already allowed the relief vide order dated 18.09.2017, clarified order dated 25.09.2017 and further clarified clarified order dated 28.09.2017.

3. The statement is accepted.

4. The applicant is permitted to withdraw the interest amount accrued on the fixed deposit upon furnishing solvent security to the satisfaction of the Registrar (Judicial), who shall pass an order in respect of such solvent security after hearing both the parties. If any such solvent security is furnished by the applicant, the same shall be kept alive till disposal of First Appeal No. 1220 of 2010 and for a period of four weeks thereafter. If any such solvent security is furnished by the applicant, the bank guarantee submitted by the applicant, referred in the

Civil Application, shall be returned to the applicant for cancellation within one week from such solvent security if furnished by the applicant, before the learned Registrar (Judicial).

5. If solvent security is not furnished by the applicant within the time prescribed by the learned Registrar (Judicial), the amount of interest shall be reinvested by the learned Registrar (Judicial) in the fixed deposit of Nationalized Bank for a period of two years and for like period after obtaining further orders from this Court.

6. The parties as well as the Registrar (Judicial) to act on the authenticated copy of this order.

7. Civil Application No. 3581 of 2017 is disposed of in aforesaid terms. No order as to costs.

(**SUNIL K. KOTWAL**)
JUDGE

(**R.D. DHANUKA**)
JUDGE