

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

909 CIVIL APPLICATION NO.4234 OF 2016
IN FA/2316/2010

...
LAXUMAN MALAPPA CHAVAN
VERSUS
MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION,
THROUGH DIVISIONAL OFFICER, DIVISION AT LATUR AND ORS.

...
Advocate for Applicant : Mr.Patil N.P. Jamalpurkar
AGP for Respondent No.2 : Mr.B.A.Shinde

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

DATE: 11th October, 2017

PER COURT :-

- 1) Heard learned counsel appearing for the parties.
- 2) Learned counsel for the applicant does not press prayer clause-C on the ground that the applicant has already withdrawn the entire amount. He, however, press reliefs in terms of prayer clause-B. He invited our attention to the order passed by the Supreme Court on 11.9.2015.
- 3) In our view, the applicant has made out a case for relief in terms of prayer clause-B, however, on condition that the applicant shall produce copy of the letter of the Collector, Latur, before the learned Registrar (Judicial) of this Court for his perusal.
- 4) Office is accordingly directed to return the bank guarantee furnished by the applicant while seeking withdrawal of 25% of the

amount, to the applicant, within two weeks from today.

5) Civil Application is accordingly disposed of in the aforesaid terms.

6) The parties as well as the learned Registrar (Judicial) to act on the authenticated copy of this order. No order as to costs.

(SUNIL K. KOTWAL, J)

(R.D. DHANUKA, J)

spt