

02. This application is filed for permission to withdraw the bank guarantee furnished by the applicant and the amount of interest accrued on the

fixed deposits, as directed by this court vide order dated 18.01.2014, in Civil Application No. 0362 of 2014 in First Appeal No. 0888 of 2013 and another companion Civil Application.

03. This Court, vide the above referred order, had directed the claimant to furnish bank guarantee of a Nationalized Bank / Scheduled Bank to the satisfaction of the Registrar (Judicial) of this Court in respect of 50 % amount (i.e. 25 % of the amount of total compensation), which was allowed to be withdrawn.

04. The learned Counsel for the applicant submits that in Civil Appeal No. 13966 of 2015, arising out of S.L.P. (C) No. 32389 of 2014, filed against the order made by this Court, the Hon'ble the Apex Court, by order dated 30.11.2015 directed to release 50 % of the amount of compensation on furnishing security to the satisfaction of the Collector. Thus, the condition to furnish the bank guarantee, imposed by this Court is set aside by the Hon'ble Apex Court.

05. In view of the order passed by the Hon'ble the Apex Court, referred to above, present Civil Application is allowed. In respect of withdrawal of 50 % of the amount of compensation, for which the bank guarantee was directed to be furnished by this Court, there would be no need to furnish the bank guarantee and the bank guarantee shall be returned to

the applicants. The security, as directed by the Hon'ble the Supreme Court, shall be furnished by the applicant to the satisfaction of the Collector. The applicant shall be permitted to withdraw the amount of interest accrued on the amount deposited in Fixed Deposits.

06. With the above directions, the Civil Application is allowed and disposed of.

(K.L. Wadane)
JUDGE

(R.M. Borde)
JUDGE

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