

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

909 CIVIL APPLICATION NO. 12525 OF 2017
IN FA/1042/2014

...
VISHNUDAS MOHANLAL TIWARI
VERSUS
MAHARASHTRA STATE INDUSTRIAL DEVELOPMENT CORPORATION,
LATUR AND ANR.

...
Advocate for Applicant : Mr.Kulkarni Girish N. (Mardikar)
AGP for Respondent No.2 : Mr.B.A.Shinde

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

DATE: 5th October, 2017

PER COURT :-

- 1) By this Civil Application, the applicant seeks permission to withdraw the amount of interest accrued on enhanced compensation amount.
- 2) The learned counsel for acquiring body has no objection if the amount of interest is allowed to be withdrawn in view of the order passed by the Supreme Court on 21.8.2015 in Special Leave to Appeal (Civil) No.6188 of 2015. He further submits that the applicant be directed to furnish solvent surety/security or bank guarantee of a nationalized bank to secure the said amount.
- 3) Learned counsel for the applicant states that his client will either furnish solvent surety/security or bank guarantee to the satisfaction of learned Registrar (Judicial) to secure the said amount. The Statement is accepted.
- 4) Civil Application is allowed & made absolute in terms of prayer Clause-B

on the condition that the applicant shall furnish solvent surety/security or bank guarantee to the satisfaction of the learned Registrar (Judicial).

5) The learned Registrar (Judicial) shall decide the issue of solvent surety/security or bank guarantee after hearing both the parties. If any such solvent surety/security or bank guarantee is furnished by the applicant, the same shall be kept alive till the disposal of the First Appeal and for further period of four weeks thereafter.

6) If the solvent surety/security or bank guarantee is not furnished within the time prescribed by the learned Registrar (Judicial), the interest amount shall be reinvested in the Fixed Deposit in any nationalized bank for a period of two years initially and thereafter for a like period after obtaining further orders from this Court.

7) The parties as well as the learned Registrar (Judicial) shall act on the authenticated copy of this order.

8) Civil Application is disposed of accordingly. No order as to costs.

(SUNIL K. KOTWAL, J)

(R.D. DHANUKA, J)

spt