

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

**910 CIVIL APPLICATION NO. 5953 OF 2017
IN
FIRST APPEAL NO. 2345 OF 2014**

**GIRIDHAR SADU ATTARDE
DIED – THR. L.Rs. & ORS.**

VERSUS

**THE AREA MANAGER, MAHARASHTRA
INDUSTRIAL DEVELOPMENT CORPORATION
JALGAON & ORS.**

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Mr. P.A.Bhosale h/f Mr.A.B.Kale, Advocate
for Applicants.

Mr. S.S.Dande, Advocate for R – 1.

Mr. S.P.Tiwari, A.G.P. for R – 2 - State.

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**WITH
CIVIL APPLICATION NO. 5949 OF 2017
IN
FIRST APPEAL NO. 1975 OF 2014**

**POONA MOTIRAM NEMADE
DIED – THR. L.Rs. & ORS.**

VERSUS

**THE AREA MANAGER, MAHARASHTRA
INDUSTRIAL DEVELOPMENT CORPORATION
JALGAON & ORS.**

.....

Mr. P.A.Bhosale h/f Mr.A.B.Kale, Advocate
for Applicants.

Mr. S.S.Dande, Advocate for R – 1.

Mr. S.N.Kendre, A.G.P. for R – 2 -State.

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CORAM : P.R.BORA, J.

DATE : 27th APRIL, 2017

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ORDER :

1. By filing the present applications, the applicants are seeking modification in the order passed by this Court on 20/08/2016. Vide the said order, the applicants were permitted to withdraw 75% of the amount on furnishing bank guarantee of any Nationalized bank or Scheduled bank for the like amount. Mr. P.A.Bhosale holding for Mr. A.B.Kale, learned counsel for the applicants submits that the applicants are finding it difficult to furnish the bank guarantee. Learned counsel, therefore, has prayed for permitting the applicants to withdraw the amount on furnishing solvent surety/security in the like amount and to modify the earlier order to that extent.

2. Mr. S.S.Dande, learned counsel for the acquiring body has submitted for passing appropriate

orders. In view of the submissions so made, following order is passed.

ORDER

[i] The applicants are permitted to withdraw 75% of the deposited amount on furnishing bank guarantee of any Nationalized bank or Scheduled bank for the like amount or on furnishing solvent surety/security in the like amount to the satisfaction of the Registrar [Judicial] at the High Court, Bench at Aurangabad.

[ii] Both Civil Applications stand disposed of.

[P.R.BORA, J.]