

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

CIVIL APPLICATION NO.12377 OF 2017 IN
FIRST APPEAL NO.2127 OF 2010

Sopan Madhav Ghar, Died L.Rs.
Suresh Sopan Ghar & anr. ... APPLICANTS

VERSUS

The State of Maharashtra & anr. ... RESPONDENTS

.....
Shri V.D. Gunale, Advocate for applicants
Mrs. M.A. Deshpande, A.G.P. for State
Shri S.S. Dande, Advocate for respondent No.2
.....

WITH

CIVIL APPLICATION NO.12379 OF 2017 IN
FIRST APPEAL NO.2131 OF 2010

Maroti Apparao Tele, Died L.Rs.
Kalawati Maroti Tele & ors. ... APPLICANTS

VERSUS

The State of Maharashtra & anr. ... RESPONDENTS

.....
Shri V.D. Gunale, Advocate for applicants
Mrs. M.A. Deshpande, A.G.P. for State
Shri S.S. Dande, Advocate for respondent No.2
.....

WITH

CIVIL APPLICATION NO.12380 OF 2017 IN
FIRST APPEAL NO.2129 OF 2010

Balbhim Nivrutti Tele & ors. ... APPLICANTS

VERSUS

The State of Maharashtra & anr. ... RESPONDENTS

.....
Shri V.D. Gunale, Advocate for applicants
Mrs. M.A. Deshpande, A.G.P. for State
Shri S.S. Dande, Advocate for respondent No.2
.....

WITH

CIVIL APPLICATION NO.12381 OF 2017 IN
FIRST APPEAL NO.2126 OF 2010

Bhagwan Madhavrao Ghar, Died L.Rs.
Gayabai Bhagwan Ghar, Died L.Rs.
Sangita Namdev Shinde & ors. ... APPLICANTS

VERSUS

The State of Maharashtra & anr. ... RESPONDENTS

.....
Shri V.D. Gunale, Advocate for applicants
Mrs. M.A. Deshpande, A.G.P. for State
Shri S.S. Dande, Advocate for respondent No.2
.....

CORAM: R.D. DHANUKA AND
 SUNIL K. KOTWAL, JJ.

DATED: 29th September, 2017.

ORAL ORDER:

1. Learned counsel appearing for the parties have
tendered copy of the order dated 18.9.2017, passed by this

Court in Civil Application No.3689/2017 in First Appeal No.2124/2010 and other connected matters and would submit that, these four applications can be disposed of by this Court on the same basis on which the said order dated 18.9.2017 was passed. They agree that the order dated 18.9.2017 would apply to the facts of these Civil Applications. Statement is accepted.

2. Office is directed to return the Bank guarantees furnished by the applicants within four weeks from today. The applicants shall produce the copies of letters addressed by the learned Collector, Latur to the learned Registrar (Judicial) of this Court for perusal of the learned Registrar (Judicial).

3. Insofar as permission to withdraw the amount of interest is concerned, the applicants are permitted to withdraw the amount of interest accrued on the Fixed Deposits lying in the State Bank of Hyderabad (now State Bank of India), High Court Branch, Aurangabad upon the applicants furnishing security to the satisfaction of the learned Registrar (Judicial). The learned Registrar (Judicial) shall decide the issue of solvent security after hearing both the parties. If the solvent securities are furnished by the applicants, the same shall be kept alive till disposal of the First Appeals and for a period of four weeks thereafter. If the

solvent securities are not furnished within time prescribed by the learned Registrar (Judicial), the amount of interest shall be reinvested in Fixed Deposit in any Nationalised Bank initially for a period of two years and thereafter for like period after obtaining orders from the Court.

4. All the Civil Applications are disposed of in aforesaid terms.

(SUNIL K. KOTWAL)
JUDGE

(R.D. DHANUKA)
JUDGE

fmp/