

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.1239/2017gr

**24 CIVIL APPLICATION NO. 1239 OF 2017
IN FA/3086/2016**

WITH

CA/16305/2016 IN FA/3077/2016

WITH

CA/16310/2016 IN FA/3075/2016

WITH

CA/16311/2016 IN FA/3084/2016

WITH

CA/16312/2016 IN FA/3081/2016

WITH

CA/16313/2016 IN FA/3083/2016

PUNDLIK BHIKA BHARAMBE

VERSUS

THE MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION,
MUMBAI DIV. OFFICE NASHIK THR

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Advocate for Applicant : Mr. P.A.Bhosale h/f Mr.Kale Ajeet B.
Mr.S.S.Khaire h/f Mr. Dande S.S., Adv., for R/1.

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CORAM : P.R. BORA, J.

Dated: July 04, 2017

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PER COURT :-

1. The applicants are seeking modification of the order passed by this Court on 22nd of July, 2016. Vide the said order, the applicants were allowed to withdraw 25 per cent of the amount on furnishing undertaking; the further 50 per cent amount on submitting solvent surety, and balance 25 per cent on furnishing Bank guarantee in the like amount.

2. Learned Counsel for the applicants submit that the

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amount which was permitted to be withdrawn by the applicants to the extent of 50 per cent of the deposited amount on furnishing solvent surety, has not yet been withdrawn by the applicants since they could not arrange for solvent surety. Learned Counsel submitted that the applicants are, therefore, seeking modification in the said order thereby to permit them to withdraw the said 50 per cent amount on furnishing Bank guarantee of the like amount, instead solvent security for the said amount. Shri Dande, learned Counsel appearing for the acquiring body has consented for passing such order.

ORDER

1. Clause (II) of the order passed by this Court on 22nd of July, 2016 in CA No.8812/2016, with connected matters, is modified to the effect that the applicants in respective applications are allowed to withdraw 50 per cent of the deposited amount on furnishing Bank guarantee in the like amount from any nationalized or scheduled Bank to the satisfaction of the Registrar (Judicial) of this Court. Civil Applications stand disposed of.

(P.R. BORA, J.)

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