

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

CIVIL APPLICATION NO. 517 OF 2018  
IN  
FIRST APPEAL NO.5028 OF 2017

Sudhir s/o Shamrao Kadam .. Applicant

Versus

The State of Maharashtra and ors. .. Respondents

Mr V.D. Gunale, Advocate for applicant

Mr A.V. Deshmukh, A.G.P. for respondent no.1

Mr Khaire, Advocate h/f Mr S.S. Dande, Advocate for respondent no.2

**CORAM : S.V. GANGAPURWALA &  
A.M. DHAVALA, JJ**

**DATE : 9<sup>th</sup> February 2018**

**PER COURT**

1. Heard learned counsel for respective parties.
2. Considering enhancement granted by the Reference Court and adjusting the equities, we pass the following order:

(a) The applicant is allowed to withdraw 25% of the amount deposited on submitting undertaking to this Court that in case the applicant is directed to redeposit the amount, the applicant to redeposit the amount within one month.

(b) The applicant is allowed to withdraw 25% of the amount on furnishing solvent security of the like amount.

(c) The applicant is further allowed to withdraw 25% of the amount on furnishing bank guarantee of Nationalised/Scheduled Bank.

(d) Remaining 25% amount be kept in Fixed Deposit of the Nationalised Bank.

(e) The Civil Application is disposed of.

**( A.M. DHAVAL, J.)**

**( S.V. GANGAPURWALA, J.)**

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