

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

957 CIVIL APPLICATION NO.13631 OF 2018  
IN FA/1164/2018  
AND  
CIVIL APPLICATION NO.13659/2018 IN FA/1166/2018

KISHOR SHANKAR KHANDALKAR  
VERSUS  
THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Applicants : Mr. Patil Laxmikanth C.  
Mr. RB Bagul & SP Deshmukh, AGPs for Respondents:1 ( in  
respective matters);  
Mr. A. N. Gaddime, Adv. For R/3.

---

**CORAM : P.R. BORA, J.**  
**DATED : 2<sup>nd</sup> November, 2018.**

**PER COURT:-**

1. CA No. 13659/2018 is not on Board. Taken on Board.
2. Learned counsel for acquiring body seeks leave to correct name of Respondent in FA No.1164/2018. Leave granted. Corrections be effected forthwith.
3. Learned counsel for applicant has tendered across the bar a copy of order passed in CA No.15347/2017 on 19<sup>th</sup> June, 2018 in the companion matter and has prayed for passing similar order in the present matters also.
4. Learned counsel for the acquiring body has not disputed that in the companion matters the

(2)

aforesaid order has been passed. In view of the submissions made, following order is passed, -

ORDER

i) The applicant/s are permitted to withdraw 50% of the deposited amount, on submitting an undertaking to the satisfaction of the Registrar of this Court. The applicants are also permitted to withdraw 25% of the amount on furnishing solvent surety/security in the like amount to the satisfaction of Registrar of this court.

ii) Balance 25% amount be invested in Fixed Deposit Receipt in any nationalized Bank, initially for the period of two years and if so required, for the further period till disposal of the appeal.

iii) The Civil Application stands disposed of.

**(P.R. BORA)**  
**JUDGE**

bdv