

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6823 OF 2020 IN FA/2517/2016

Bhau Venkoba Ghodake Died Through his L.Rs. Chandrabhagabai Bhau Ghodake and another	..	Applicants
Versus		
The State of Maharashtra Through The Collector, Latur and others	..	Respondents
...		
Mr. Amit S. Deshpande, Advocate for Applicants		
Mr. S. B. Yawalkar, Addl. G. P. for Respondent No.1		
Mr. S. S. Dande, Advocate for Respondent No.2		
...		

**CORAM : SUNIL P. DESHMUKH AND
M. G. SEWLIKAR, JJ.**

DATE : 26th NOVEMBER, 2020

PER COURT :-

Learned counsel for the applicants-claimants states that pursuant to order dated 24-07-2017 in civil application No. 3359 of 2017, they were allowed to withdraw 50 % of the amount deposited on furnishing bank guarantee. Accordingly, applicants had withdrawn 50% of the amount deposited upon furnishing bank guarantee, albeit, the guarantee had been for excess amount than withdrawn amount. Upon realization of aforesaid, a fresh bank guarantee is sought to be furnished by the applicant to the extent of withdrawn amount and as such present application has been filed requesting return of bank guarantee which has been furnished earlier and to accept bank guarantee sought to be furnished, as office has expressed apprehension over permissibility of the same.

2. Learned A.G.P. and Mr. Dande have no particular resistance to the offer to the request as has been made which being not unreasonable.

3. In the circumstances, office may accept bank guarantee being furnished for the amount withdrawn and may return earlier bank guarantee to the applicants keeping its photo copies and noting that proper guarantee for the required amount in substitution has been furnished.

4. Needless to refer to that aforesaid be done after verification of authenticity of the bank guarantee being furnished

5. Civil application stands disposed of.

(M. G. SEWLIKAR)
JUDGE

(SUNIL P. DESHMUKH)
JUDGE

rrd