

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

**CIVIL APPLICATION NO. 6019 OF 2021
IN
FIRST APPEAL NO. 3115 OF 2017**

Gangadhar Digamber Tigile

..APPLICANT

VERSUS

Maharashtra Industrial Development Corporation
Through Divisional Officer, Latur
and Others

..RESPONDENTS

....
Mr. S.S. Chillarge, Advocate for applicant
Mr. S.S. Dande, Advocate for respondent no.1
Mr. P.M. Kulkarni, A.G.P. for respondent no.2 - State
....

**CORAM : R.G. AVACHAT, J.
DATED : 12th JULY, 2021**

PER COURT :

1. Heard.

2. This application has been moved for modification of order dated 06th April, 2018 passed in Civil Application No. 3243 of 2018; particularly Clause (II) of the operative part is sought to be modified. The applicant had been permitted to withdraw 25% of the amount deposited in this Court and interest accrued thereon on furnishing solvent surety in the like amount.

3. According to learned counsel for the applicant, it is very difficult to secure a solvent surety. He is ready to furnish a bank guaranty of scheduled bank instead of furnishing solvent surety. Learned counsel for the other side has no objection.

4. Bank guaranty of the scheduled bank is better security than the solvent surety. Clause (II) of order dated 06th April, 2018 is, therefore, modified. The words 'solvent surety' be replaced with the words 'bank guaranty of a scheduled bank'. Copy of this order be supplied to the parties concerned, immediately.

5. Civil application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD