

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

**CIVIL APPLICATION NO. 7889 OF 2021
IN
FIRST APPEAL NO. 905 OF 2020**

Rajkumar Hariba Shinde ..APPLICANT

VERSUS

State of Maharashtra and Others ..RESPONDENTS

**AND
CIVIL APPLICATION NO. 7890 OF 2021
IN
FIRST APPEAL NO. 907 OF 2020**

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Mr. L.C. Patil, Advocate for applicants
Mr. P.M. Kulkarni, A.G.P. for respondent – State
Mr. S.D. Shelke, Advocate for respondent no.3

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

PER COURT :

1. Heard. Perused the impugned award.
2. Learned counsel for the acquiring body has objection to permit withdrawal of amount.
3. In connected matters, the applicants therein were permitted to withdraw entire amount deposited in this Court, 75% on undertaking and

25% as against bank guaranty. The applicants therein later on got modified the said order by replacing the condition of bank guaranty with solvent surety/security.

4. It is informed that the applicants herein are unable to furnish bank guaranty. I am not inclined to permit the applicants to withdraw 25% of the amount against solvent surety/security. In these circumstances, they are permitted to withdraw only 75% of the amount deposited in this Court on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court. Balance 25% amount be invested in fixed deposit in any nationalised bank till disposal of the appeals. Civil applications stand disposed of accordingly.

(R.G. AVACHAT, J.)

SSD