

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

**939 CIVIL APPLICATION NO.14601 OF 2022
IN FA/545/2010**

**RADHAKISHAN BHAURAO SHIDLAMBE AND OTHERS
VERSUS
THE CITY AND INDUSTRIAL DEVELOPMENT CORPORATION
OF MAH AURANGABAD AND OTHERS**

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Ms. Sakshi Kale, Advocate holding for Mr. Ajeet Kale, Advocate
for the applicants.

Mr. Girish Awale, Advocate for respondent No.1.

Mr. S.N. Kendre, A.G.P. for respondent No.2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20.12.2022.

ORDER:-

1. Leave to correct the surname as per office objection forthwith.

2. Heard rival submissions. The applicants are seeking withdrawal of remaining 25% amount alongwith the accrued interest thereon by furnishing solvency and also for modification of order dated 01.02.2010.

3. The aforesaid order indicates that the respondent No.1 Acquiring Body – CIDCO had deposited 75% of the compensation amounts in other connected matters out of which 50% was allowed to be withdrawn by furnishing usual undertaking and the remaining 25% was allowed to be

withdrawn by furnishing bank guarantee. It is not in dispute that the amounts in other connected matters are withdrawn by the concerned applicants. The applicants herein are seeking permission to furnish solvent surety / security instead of bank guarantee which can be allowed in the interest of justice. As such, the application is allowed in terms of prayer clauses (B) and (C) and disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)