

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

968 CIVIL APPLICATION NO.4335 OF 2023
IN FA/1775/2019 WITH CA/4325/2023 IN FA/1789/2019 WITH
CA/4320/2023 IN FA/1776/2019

KRISHNATH PANDURANG POTDAR
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
OSMANABAD AND ORS

...

Advocate for Applicants : Mr. A. B. Kale
AGP for Respondent Nos.1 & 2: Mr. S. N. Kendre
Advocate for Respondent No.3 : Mr. Jiwan R. Patil h/f
Mr. G. P. Rajale

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 12/07/2023.

P. C. :

1. Heard rival submissions.
2. The respective applicants in all these applications are seeking modification of order dated 23/10/2020 passed earlier and also for withdrawing the balance amount of 25% which was kept in FDR.
3. It appears that this court vide order dated 26/04/2022 in other connected matters, has already modified the order dated 23/10/2020 by permitting the applicant therein to withdraw 25% amount of compensation on furnishing solvent security / surety instead of bank guarantee. However, it seems that at the relevant time the said applicant was not permitted to withdraw the balance 25% amount of compensation which was ordered to be invested in FDR. In view of the same, all these applicants are permitted to withdraw their 25% amounts of compensation by furnishing solvent security / surety to the satisfaction of Registrar (Judicial) of

this court instead of furnishing bank guarantee as directed in order dated 23/10/2020.

4. The prayer for withdrawal of balance 25% amounts of compensation, which were kept in FDR under the said order, stands rejected. Applications are disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-