

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

**13 CIVIL APPLICATION NO.11098 OF 2023
IN FA/4445/2016**

**MOHAN MANIKRAO @ MANIK NANDGURE @ BIRAJDAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR OSMANABAD
AND ORS**

Mr.L.C. Patil, Advocate for the applicant.
Mr.S.P. Tiwari, AGP for the respondent/State.
Mr.R.A. Tambe, Advocate for respondent No.3.

**CORAM : KISHORE C. SANT, J.
DATED : 04.09.2023**

PC :-

01. This Court by order dated 12.04.2019 had allowed the applicant to withdraw 50% of the compensation amount deposited in this Court along with accrued interest, 25% was permitted to be withdrawn subject to filing of the solvent security within a period of 12 weeks. Remaining 25% of the amount was directed to be invested in the fixed deposit in any nationalized bank till final disposal of the appeal. Pursuant to this order, the applicant withdrew 50% of the amount by giving an undertaking. However, he could not furnish solvency for the purpose withdrawing 25% of the amount. This Court, thereafter by order dated 13.09.2019 modified the order and directed to withdraw 50% amount of the deposited amount.

02. The applicant has now filed application stating that now he is in a position to furnish solvent security for the purpose of withdrawal of 25% of the amount. Considering above request and since already this Court had allowed to withdraw amount of 25% with solvent surety, this Court finds that this application also needs to be allowed.

03. The Civil Application stands allowed. The applicant is at liberty to withdraw 25% of the total amount along with accrued interest, deposited in this Court on giving solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. For that purpose time is extended by four weeks.

[KISHORE C. SANT, J.]