



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

**CIVIL APPLICATION NO. 10692 OF 2024
IN FA/867/2016**

SHYAM BHANUDAS PAWAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

...

Mr. Vivekanand B. Deshmukh, Advocate for Applicant
Mr. R.B. Dhaware, AGP for Respondents/State
Mr. Shantaram R. Dheple, Advocate for Respondent No.3

...

**CIVIL APPLICATION NO. 9972 OF 2024
IN FA/852/2016**

DHANAJI RAJENDRA PAWAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

...

Mr. Vivekanand B. Deshmukh, Advocate for Applicant
Mr. D.J. Patil, AGP for Respondents/State
Mr. Shantaram R. Dheple, Advocate for Respondent No.3

...

**CIVIL APPLICATION NO. 9973 OF 2024
IN FA/858/2016**

NANDKUMAR RAJENDRA PAWAR DIED THROUGH HIS LRS SAVITA
NANDKUMAR PAWAR AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

...

Mr. Vivekanand B. Deshmukh, Advocate for Applicant
Mr. R.B. Dhaware, AGP for Respondents/State
Mr. Shantaram R. Dheple, Advocate for Respondent No.3

...

**CIVIL APPLICATION NO. 9975 OF 2024
IN FA/854/2016**

SUBHASH TUKARAM SHERKAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

...
 Mr. Vivekanand B. Deshmukh, Advocate for Applicant
 Mr. D.J. Patil, AGP for Respondents/State
 Mr. Shantaram R. Dheple, Advocate for Respondent No.3

...
CIVIL APPLICATION NO. 9976 OF 2024
IN FA/863/2016

SHARAD VITHAL PAWAR AND ANOTHER
VERSUS
 THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
 OSMANABAD AND OTHERS

...
 Mr. Vivekanand B. Deshmukh, Advocate for Applicant
 Mr. R.B. Dhaware, AGP for Respondents/State
 Mr. Shantaram R. Dheple, Advocate for Respondent No.3

...
CIVIL APPLICATION NO. 10041 OF 2024
IN FA/868/2016

SANJAY BABURAO HAVALDAR AND OTHERS
VERSUS
 THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
 OSMANABAD AND OTHERS

...
 Mr. Vivekanand B. Deshmukh, Advocate for Applicant
 Mr. D.J. Patil, AGP for Respondents/State
 Mr. Shantaram R. Dheple, Advocate for Respondent No.3

...
CORAM : NITIN B. SURYAWANSHI, J.

DATE : 04th OCTOBER, 2024

PER COURT :

1. These applications are filed for modification of the order dated 06/04/2018, whereby this Court permitted applicants / claimants to withdraw 50% of amount on furnishing usual undertaking and 25% of the amount on furnishing bank guarantee of nationalized bank and remaining 25% amount is directed to be invested in the fixed deposit till disposal of first appeal.

2. Learned advocate for applicant submits that the order may be modified by permitting applicant/claimant to withdraw 25% amount on furnishing solvent surety/security instead of bank guarantee.

3. Learned advocate for acquiring body opposed the application contending that, if said condition of bank guarantee is modified it would amount to review of the earlier order dated 06/04/2018.

4. There is no merit in the submission of learned advocate for acquiring body as modification of the order does not amount to review.

5. Considering the reasons stated in the applications, the same are allowed in terms of prayer clause 'B'. Claimants are permitted to withdraw 25% amount on furnishing solvent surety/security to the satisfaction of Registrar (Judicial) of this Court.

(NITIN B. SURYAWANSHI, J.)