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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

84 CIVIL APPLICATION NO. 12531 OF 2024
IN FA/1200/2023

AND

CIVIL APPLICATION NO. 3709 OF 2023
IN FA/1196/2023

AND

CIVIL APPLICATION NO. 3711 OF 2023
IN FA/1198/2023

AND

CIVIL APPLICATION NO. 3713 OF 2023
IN FA/1200/2023

AND

CIVIL APPLICATION NO. 3710 OF 2023
IN FA/1197/2023

AND

CIVIL APPLICATION NO. 3712 OF 2023
IN FA/1199/2023

AND

CIVIL APPLICATION NO. 12528 OF 2024
IN FA/1197/2023

AND

CIVIL APPLICATION NO. 12529 OF 2024
IN FA/1196/2023

AND

CIVIL APPLICATION NO. 12530 OF 2024
IN FA/1198/2023

AND

CIVIL APPLICATION NO. 12527 OF 2024
IN FA/1199/2023

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MANOHAR RANGNATH TODKAR DIED THR LRS KONDABAI
AND ORS

....Applicants

VERSUS

THE STATE OF MAHARASHTRA, THROUGH COLLECTOR AND
ANR

.....Respondents

Mr. Shrikant Sontakke, Advocate for the applicants

Mr. S. S. Chillarge, Advocate for the respondent

Mr. K. S. Patil, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 28th NOVEMBER, 2024

P. C.

MODIFICATION

1. These applications are filed with a prayer to allow the applicants to withdraw the amount as per order dated 19-09-2024 passed by this court by modifying the condition of giving direction to the Registrar (Judicial) to accept the bank guarantee of the Cooperative Court.

2. It is the case that the learned Registrar (Judicial) of this court has passed an order on 14-10-2024 asking the applicant to give bank guarantee of the Nationalized bank

instead of Co-operative bank.

3. The learned advocate for the applicant points out that the Division Bench of this court by order dated 07-02-2024 had allowed such application to withdraw the amount on furnishing bank guarantee of Scheduled or Cooperative bank.

4. Considering the above, the learned AGP objects to allow the applications. He submits that it is always in the interest of justice to secure the amount by giving Bank guarantee of nationalized bank.

5. However, considering that already a Division Bench of this court has allowed to accept the bank guarantee from scheduled bank or Cooperative Bank, this court finds that present applications also can be allowed. Therefore, the applications stand allowed.

6. The learned Registrar (Judicial) of this court is

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directed to accept the bank guarantee of any scheduled bank or Cooperative bank for the purpose of release of the amount.

7. With this, the applications stands allowed.

[KISHORE C. SANT, J.]

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