



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

47 CIVIL APPLICATION NO. 15100 OF 2023
IN FA/511/2020

DAMU BALA DATIR (DECEASED) THROUGH HIS LRS.
BHAUSAHEB DAMU DATIR AND ORS
VERSUS
EXE. ENGINEER, URDHVA PRAVARA DAM DIV. SANGAMNER,
AHMEDNAGAR AND ANR

...
Advocate for Applicant : Mr. Shaikh Joyeb I.
Advocate for Respondent No. 1 : Mr. Vinesh C. Solshe
AGP for Respondents/State : Mr.P.D. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 07th MAY, 2024.

PER COURT :

1. This application is for withdrawal of the solvency furnished by the applicants.
2. The original respondent Bhausahab Damu Datir had applied to withdraw the amount deposited with this Court.
3. The Court by order dated 08.03.2021 allowed him to withdraw 75% of the amount. Out of it 50% amount was

allowed to be withdrawn on undertaking and 25% amount was allowed to be withdrawn on solvent surety. For 25% amount he had furnished seven solvent sureties. However, the sureties wanted to discharge as they are intending to sale their properties. Therefore, the petitioners being the legal representatives of the original respondent Bhausahab wanted to re-deposit 25% of the amount, which they have received as per the order of this Court and requested to discharge all of the sureties.

4. Considering the change in circumstances, the application is allowed.

5. The applicants are permitted/allowed to re-deposit 25% amount withdrawn as per the order of this Court dated 08.03.2021 with this Court within a week from today.

6. After depositing amount the sureties furnished for the said amount would be discharged.

7. The applicant submits that the sureties have been submitted before the Reference Court, therefore, on producing

the receipts of re- depositing 25% amount with this Court, the reference Court shall pass appropriate orders discharging the sureties.

(S. G. MEHARE)
JUDGE

mahajansb/