



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.12191 OF 2024
IN
FIRST APPEAL NO.929 OF 2022

Hari Pakatya Tandel And Ors.	...Applicant
In the matter between	
The State of Maharashtra	
Thr. Deputy Collector Raigad	...Appellant
<u>Versus</u>	
Hari Pakatya Tandel And Ors.	...Respondents.

Adv. A. R. Patil AGP for the State.
Adv. Hemant Ghadigaonkar for the Respondents.

Coram : Sharmila U. Deshmukh, J.

Date : September 6, 2024.

P. C. :

1. Interim Application has been preferred seeking withdrawal of 50% of the amount by furnishing **surety i.e. executing Indemnity Bond** and by furnishing bank guarantee in respect of the balance 50% of the amount.
2. The Appeal arises out of land acquisition proceeding and is admitted by this Court. The final hearing of the appeal is not likely to take place immediately and the claimants cannot be prejudiced by the delay. The present Application deserves to be allowed.

3. In view of the above, the Applicants-Original Respondents are permitted to withdraw 50% of the amount deposited by the Appellant upon furnishing solvent surety to the satisfaction of the Trial Court and the balance 50% upon furnishing the necessary bank guarantee.

4. The Trial Court is directed to give notice to all concerned and give an opportunity of hearing to the parties before accepting the solvent surety and the bank guarantee. Interim Application stands allowed.

[Sharmila U. Deshmukh, J.]

This order is corrected pursuant to Speaking to Minutes order dated 26th September, 2024.