



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

**CIVIL APPLICATION NO. 1752 OF 2025
IN
FIRST APPEAL NO. 545 OF 2010**

Radhakishan Bhaurao Shidlambe
and others

.. Applicants

Versus

The City And Industrial Development
Corporation of Maharashtra
Aurangabad and others

.. Respondents

Ms. Sakshi Kale, Advocate h/f Shri Ajeet B. Kale, Advocate for
the Applicants.

Shri Girish L. Awale, Advocate for the Respondent No. 1.

Shri S. M. Ganachari, A.G.P. for the Respondent No. 2.

Shri N. S. Choudhary, Advocate for the Respondent No. 3.

CORAM : SHAILESH P. BRAHME, J.

DATE : 02ND APRIL, 2025.

FINAL ORDER :

. This application is for withdrawal of balance 25% of the
amount deposited by the respondent/acquiring body.

2. The applicants were permitted to withdraw 50% of the
deposited amount on furnishing undertaking and 25% of the
remaining amount on furnishing bank guarantee vide order
dated 01.02.2010. Thereafter the order was modified and instead
of bank guarantee, applicants were permitted to furnish
solvency. In this manner applicants have withdrawn 75% of the

deposited amount and 25% is still lying with this Court.

3. It is contended that due to financial constrains and for the wedding in the family they are in need of balance amount.

4. Learned counsel for the respondent/acquiring body opposes the submissions. He submits that already applicants were permitted to withdraw 75% of the deposited amount. The substantial amount has been disbursed to the applicants and, therefore, no further permission can be granted.

5. Considering exigency expressed in the application, especially in para Nos. 4 and 5, I am inclined to permit the applicants to withdraw balance 25% of the deposited amount on furnishing solvency.

6. The civil application is allowed by permitting the applicants to withdraw remaining 25% of the deposited amount with accrued interest on furnishing solvency. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 25