



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

**32 CIVIL APPLICATION NO. 5606 OF 2025
IN FA/3608/2016**

MARUTI BABRUWAN JADHAV

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

**CIVIL APPLICATION NO. 5605 OF 2025
IN FA/3607/2016**

SHAHAJI TATYA SHINDE AND ANR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Mr.L.C. Patil, Advocate for the applicants.

Ms.Chaitali Choudhari Kutti, AGP for the respondent-State.

Ms.Sunita Shelke, Advocate for R-2 in CA 5605/2025.

Mr. A.N. Gaddima and Mr. R.A.Tambe, Advocates for R-3 in CA No. 5606 of 2025.

CORAM : KISHORE C. SANT, J.

DATE : 14.07.2025

PC :-

01. These applications are filed seeking modification of the order passed by this Court on 09.03.2018. This Court, by way of the order passed in Civil Application No. 3508 of 2018 with other connected Civil Applications, permitted the applicants to withdraw 50% of the amount deposited by the respondent/appellant in this Court along with accrued interest, on submitting an undertaking that in the event any adverse decision is rendered in the appeal or the amount of compensation is decreased, they will deposit/pay back said amount in this Court within a period of three months from the date of decision in the appeal. Balance fifty percent of the amount is permitted to be withdrawn on applicants

furnishing bank guarantees of a nationalized bank or scheduled bank of the like amount.

02. Present applicants though withdrawn 50% of the amount on undertaking, but remaining amount could not be withdrawn as they could not furnish bank guarantee. The applicants now rely on the order passed by this Court on 20.10.2023 in C.A. No. 12703 of 2023 with connected application. This Court in the said order, directed the applicants to withdraw 50% amount on undertaking and 50% amount on furnishing solvent surety/security in place of bank guarantee.

03. Considering the above, present applications are allowed. The applicants are allowed to withdraw remaining 50% amount with accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

04. The Civil Applications are accordingly allowed and are disposed off.

[KISHORE C. SANT, J.]