



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

CIVIL APPLICATION NO. 6773 OF 2025 IN FA/1925/2018

MEERABAI DASKUMAR JOSHI
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Girish N. Kulkarni (Mardikar)
AGP for Respondents : Mr. S. B. Jadhve

...
WITH FIRST APPEAL NO. 1926 OF 2018
...

CORAM : KISHORE C. SANT, J.

DATE : 21-07-2025

PER COURT:-

1. Heard the learned counsel for the applicant.
2. Learned counsel for the applicant submits that this Court, by order dated 07.11.2023 was pleased to allow the applicant to withdraw 50% of the amount deposited in this Court by the appellant, on furnishing usual undertaking. 25% amount was allowed to be withdrawn by giving solvent surety/security and remaining 25% amount was to be invested in fixed deposit. He submits that this Court has passed order allowing the applicant to withdraw the amount by giving undertaking. So far as withdrawal of 25% amount is concerned, the applicant is not in a position to give any surety/security as the condition is not sound. The total amount of enhancement is Rs.6,00,000/-. Considering that amount, this Court finds that the applicant can be permitted to withdraw remaining amount on undertaking.

3. Learned A.G.P. opposes the application.
4. However, considering total amount of Rs.3,03,349/-, this Court finds that such amount can be allowed to be withdrawn.
5. The civil application is allowed.
6. Order dated 07.11.2023 in Civil Application No.9172 of 2016 in FA/1925/2018, stands modified to the extent that the applicant is permitted to withdraw further 25% amount of the total deposit alongwith accrued interest, on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. Except this, remaining order shall remain intact.
7. The civil application stands disposed of accordingly.

[KISHORE C. SANT]
JUDGE

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