



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12997 OF 2025
IN FA/2171/2009

Pandurang Dadarao Sathe Died Through Lrs Sindhubai And Ors.

VERSUS

The State Of Maharashtra Through Collector Osmanabad And Anr.

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Mr. V. V. Ingale, Advocate for Applicants

Mr. A. A. A. Khan, AGP for Respondent-State

CORAM : SANJAY A. DESHMUKH, J.

DATED : 26th NOVEMBER, 2025

PER COURT :-

1. This is an application for modification and relaxation of condition in the order passed by this Court dated 11.09.2009. By the said order, the applicants were permitted to withdraw 25% of the total amount deposited by the State in the office of this Court on furnishing an undertaking and the remaining 25% amount was permitted to be withdrawn upon furnishing a bank guarantee of a nationalized or civil bank.

2. Heard both sides.

3. The learned AGP strongly opposed the application.

4. Perused the application. Considering the prayer of the applicants and in view of the order dated 14.11.2025, passed by this Court in Civil Application No.11044 of 2025 in First Appeal No.1772

of 2012, granting similar relief, this application deserves to be allowed in the interest of justice. Hence, the following order:

ORDER

- a. The Civil Application is allowed.
- b. The applicants are permitted to withdraw the amount on furnishing solvent surety/security to the extent of amount withdrawn to the satisfaction of the learned Registrar (Judicial) of this Court. On furnishing solvent surety/security, the bank guarantee shall stand discharged.

FIRST APPEAL NO. 2171 OF 2009

1. Record and Proceedings is received.
2. Place the matter for final hearing on 19.12.2025.

(SANJAY A. DESHMUKH, J.)