



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

**966 CIVIL APPLICATION NO. 3783 OF 2025  
IN FA/648/2011**

**DEELIP SHRIRANG ATHWALE  
VERSUS  
THE STATE OF MAHARASHTRA  
THROUGH THE COLLECTOR BEED AND ORS**

.....  
Advocate for the Applicant : Mr.Shubham Jaybhar h/f.  
Mr.Jayabhar Dattatraya R.  
AGP for Respondent/State : Mr.K.K.Naik  
Advocate for Respondent No.2 : Mr.Tatyasaheb Bhosale

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**CORAM : SHAILESH P. BRAHME, J.**  
**DATE : 25<sup>th</sup> APRIL 2025**

**PER COURT :**

. Applicant is seeking modification of the order dated 10.08.2012 passed in Civil Application No.9299 of 2012 which is common order. It is contended by learned counsel for the applicant that considering the financial condition of the applicant it is not possible for him to furnish bank guarantee for withdrawal of 50% of amount. Learned counsel has also argued that he is entitled to receive accrued interest also on condition of furnishing either undertaking or solvent surety.

2. I have gone through order dated 10.08.2012 which is common order and which is modified by a separate order dated 11.08.2022 to

the extent of those applicants. By separate order dated 08.09.2023 even interest part was also directed to be disbursed. In that view of the matter, I do not find that there is any reason to deny the relief claimed by the applicant.

3. Civil application is allowed in terms of prayer clause 'B' and 'C'.

**[ SHAILESH P BRAHME, J.]**

vsj..