



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

20 CIVIL APPLICATION NO. 9549 OF 2025  
IN FA/799/2022

LAXMIKANT VITTHAL MAHAJAN

*VERSUS*

THE EX. ENGINEER, LAGHU PATBANDHARE VIBHAG  
JALGAON AND ORS

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Advocate for Applicant : Mr. Patil Vinod Prakash.

AGP for Respondent/s-State : Mr. S. N. Morampalle.

Advocate for Respondent Nos.1 & 2 : Mr. Jadhav Chetan T.  
(Through V. C.).

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CORAM : SHAILESH P. BRAHME, J.

DATE : 11.02.2026

PER COURT :-

1. Heard both sides.
2. Applicant seeks modification to the order dated 08.05.2025. Due to practical difficulty, it is not possible to comply the order directing the applicant to furnish solvent surety/security for withdrawal of 25% of the amount.
3. Learned counsel Mr. Jadhav would oppose the submissions. It is submitted that there are disputed questions of facts. It is further submitted that the compensation given for the fruit bearing trees is vulnerable.

4. Learned counsel for the applicant submits that his client is ready to furnish bank guarantee of the nationalized bank for withdrawal of 25%. The earlier order would take care of the interest of the acquiring body. I find no difficulty in allowing applicant to furnish bank guarantee by carrying out necessary modification in the order.

5. Civil application is allowed partly.

6. The order dated 08.05.2025 shall stand modify to the extent of directing “the applicant to furnish the solvent surety/security for withdrawal of 25% of the amount” shall be replaced by the direction “to furnish bank guarantee of the nationalized bank for withdrawal of 25% of the amount”.

**(SHAILESH P. BRAHME, J.)**

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vmk/-