



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

49 CIVIL APPLICATION NO. 11156 OF 2025
IN FA/2092/2024

KARBHARI BAPU NIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
AURANGABAD AND OTHERS

WITH CIVIL APPLICATION NO. 13368 OF 2015 IN
FA/2657/2015 WITH FIRST APPEAL NO. 2657 OF 2015 WITH
FIRST APPEAL NO. 2656 OF 2015 WITH FIRST APPEAL NO.
2091 OF 2024 WITH FIRST APPEAL NO. 2658 OF 2015 WITH
CIVIL APPLICATION NO. 13367 OF 2015 IN FA/2658/2015
WITH CIVIL APPLICATION NO. 11157 OF 2025 IN
FA/2093/2024 WITH CIVIL APPLICATION NO. 11154 OF 2025
IN FA/2090/2024

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Advocate for Applicants in all : Mr. Kasar Rajendra Sudam.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.3 : Mr. D. B. Pawar (Through V.
C.).

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CORAM : SHAILESH P. BRAHME, J.

DATE : 23.01.2026

PER COURT :-

1. Applicants seek modification to the order dated 26.11.2014.
2. They are permitted to withdraw amount on certain conditions. The condition No.(iii) pertains to furnishing of bank guarantee which is to the extent of 25% of the amount. It is contended that applicants are unable to furnish the bank

guarantee and the condition is very onerous. They are unable to withdraw that part of the amount.

3. Learned counsel for the respondent/acquiring body would submit that the matter be listed for final disposal instead of deciding the applications. He would further submit that interest of the acquiring body needs to be protected and the condition imposed may not be diluted.

4. Applicants are permitted to receive 25% of the amount on furnishing undertaking and 50% of the amount on furnishing solvent surety/security. Maximum amount is disbursed on stringent condition. There is no reason to doubt the difficulty of the applicants. Ends of the justice would be served in modifying the condition of bank guarantee.

5. The applicants shall be permitted to receive balance amount on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

6. Civil applications for modification are allowed.

7. List the appeals for final hearing on 24.02.2026.

(SHAILESH P. BRAHME, J.)

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vmk/-