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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 FIRST APPEAL NO. 3533 OF 2019

THE STATE OF MAHARASHTRA AND OTHERS

VERSUS

SHAKUNTALA SURESH PORWAL

WITH

FIRST APPEAL NO. 3534 OF 2019

THE STATE OF MAHARASHTRA AND OTHERS

VERSUS

RAMRAMO NATU PATIL DIED THROUGH LEGAL REPR. SUSHILA AND
OTHERS

WITH

CIVIL APPLICATION NO. 3000 OF 2026

IN FA/3536/2019

BHUSHAN DATTATRAYA CHINCHORE DIED THROUGH LRS VIMAL
AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
JALGAON AND OTHERS

WITH

CIVIL APPLICATION NO. 1172 OF 2020

IN FA/3536/2019

THE STATE OF MAHARASHTRA AND OTHERS

VERSUS

BHUSHAN DATTATRAYA CHINCHORE

WITH

CIVIL APPLICATION NO. 1171 OF 2020

IN FA/3533/2019

THE STATE OF MAHARASHTRA AND OTHERS

VERSUS

SHAKUNTALA SURESH PORWAL

WITH

FIRST APPEAL NO. 3535 OF 2019

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
SURESH PUNDLIK PATIL AND OTHERS
WITH
CIVIL APPLICATION NO. 1180 OF 2020
IN FA/3534/2019

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
RAMRAMO NATU PATIL
WITH
CIVIL APPLICATION NO. 1181 OF 2020
IN FA/3535/2019

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
SURESH PUNDLIK PATIL AND OTHERS
WITH
CIVIL APPLICATION NO. 2998 OF 2026
IN FA/3534/2019

RAMRAO NATU PATIL DIED THROUGH LRS SUSHILA DIED THROUGH
LRS PRAMOD AND OTHERS

VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
JALGAON AND OTHERS
WITH
FIRST APPEAL NO. 3536 OF 2019

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
BHUSHAN DATTATRAYA CHINCHORE DIED THROUGH LEGAL REPR.
VIMAL AND OTHERS

Mr.G.K.Naik Thigle, Special Counsel for the appellants/ applicants/
State.

Mr.A.B.Kale, Advocate for respondent No.1.

(CORAM : KISHORE C. SANT AND
SUSHIL M. GHODESWAR, JJ.)

DATE : 16 APRIL, 2026

PER COURT :

CIVIL APPLICATION NO. 2998 OF 2026
IN FA/3534/2019

1. Heard the learned Advocate for the applicants.
2. This application is preferred by the respondents/ original claimants in the appeal for modification of the earlier order dated 28.09.2021 whereby this Court had permitted the applicants to withdraw the amount deposited by the appellants in this Court towards compensation as per the award passed by the Reference Court. This Court had allowed to withdraw the amount and had imposed the condition to furnish surety to the extent of 50% of the amount to the satisfaction of the learned Registrar (Judicial) of this Court.
3. The learned Advocate for the applicants submits that now since the surety wants to dispose of his property, he is withdrawing the surety. He is however ready to furnish bank guarantee to the extent of 50% of the amount withdrawn. The learned Special Counsel for State

Mr.Thigale has no objection as ultimately the interest of the appellants is secured.

4. Considering the above, the applicants/appellants are allowed to furnish the bank guarantee to the extent of 50% of the amount by withdrawing the surety which is already furnished.

5. With this, the application stands allowed and disposed of.

6. CA No.3000/2026 is filed by the original claimants/respondents in the appeal with a prayer to allow the applicants to furnish a new surety bond by withdrawing the earlier surety submitted in this Court, as the existing surety wants to dispose of property.

7. The learned Advocate for the applicants submits that the applicants are only replacing the surety and by which no prejudice would be caused to any of the parties.

8. This application is not opposed by the learned Advocate for the respondents. He prays for appropriate orders.

9. This Court finds that the prayer made in this application is only to replace the surety, by which no prejudice would be caused to any of the parties. Considering the above, application is allowed. The earlier surety would stand discharged after furnishing fresh surety.

10. With this, the present application stands disposed of.

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)