

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

...

912 CIVIL APPLICATION NO.13949/2015 IN FA/2744/2015

VYANKAT VITTHAL KADAM AND OTHERS MUKUND RAMRAO KADAM & ORS.

VERSUS

DIVISIONAL CONTROLLER, M.S.R.T.C. DIVISIONAL PARBHANI & ORS.

...

Advocate for Applicants : Mr. P.N. Kalani

Advocate for Respondents : Mr. Wange Anand D.

...

CORAM : S. V. GANGAPURWALA, J.

DATE : 30th October, 2015

PER COURT :

1. This is an application for withdrawal. The issue is with regard to the contributory negligence. In such case, there will be no impediment to allow major applicants to withdraw 50% of the their share.

2. On 21st October, 2015, the order was passed for withdrawal of amount in favour of the claimants in Civil Application No. 13948 of 2015. The order was also passed in the present civil application No. 12949/2015. However, the same is not carried out. In the result, I pass following order:

1. All the applicants who are major are allowed to withdraw 50% of the amount of their share as apportioned by the tribunal, without any security.
2. Civil application disposed of.

(S. V. GANGAPURWALA, J.)

JPC