

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO. 1960 OF 2013
IN
FIRST APPEAL NO. 591 OF 2013***

Maharashtra State Road Transport Corporation... Applicant
(Ori. Appellant)

v/s

Sou. Dhanashri Amit Lonkar ... Respondent

***ALONG WITH
CIVIL APPLICATION NO. 2981 OF 2013
IN
FIRST APPEAL NO. 591 OF 2013***

Sou.Dhanashri Amit Lonkar ... Applicant
(Ori. Respondent)

v/s

Mah. State Road Transport Corporation ... Respondent
(Ori. Appellant)

Mr.C.M. Lokesh i/by M/s.G.S.Hegde & Associates for the applicant
in CAF No.1960/2013 and respondent in CAF No.2981/2013.

Mr.A.M. Gokhale for the applicant in CAF No.2981/2013 and for
the respondent in CAF No.1960/2013.

***CORAM: SMT. VASANTI A. NAIK &
SHRI C. V. BHADANG, JJ.***

DATED : 9TH FEBRUARY 2015

P.C.:

Heard the learned counsel for the parties. Perused the contents of the applications. Also perused the award passed by the Motor Accident Claims Tribunal.

In the circumstances of the case, we permit the original respondent/claimant to withdraw the amount of Rs.40,00,000/- including the amount of Rs.5,00,000/- that is withdrawn by the original respondent Nos.1 and 2 earlier on furnishing an undertaking that in case the appellant Corporation succeeds in the appeal, the amount may be refunded to the appellant Corporation with interest at the rate of 7.5% per annum. The remaining amount should be deposited in the fixed deposit in any nationalized bank initially for a period of three years and the same should be renewed from time to time, during the pendency of the first appeal.

The civil applications are disposed of accordingly.

(C. V. BHADANG, J.)

(VASANTI A. NAIK, J.)