

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

FIRST APPEAL NO.1074 OF 2013

(M.S.R.T.C., through Depot Manager, Wardha ..vs.. Palsingh Lakhansingh June and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.H. Kedar, Advocate for the appellant,
Shri J.D. Bastian, Advocate for the respondent No.1,
None appears for the respondent No.2.

CORAM : Z.A. HAQ, J.

DATED : 06-1-2015

Heard Shri V.H. Kedar, the learned Advocate for the appellant and Shri J.D. Bastian, the learned Advocate for the respondent No.1.

None appears for the respondent No.2.

Admit.

Shri J.D. Bastian, the learned Advocate, waives service of notice on behalf of the respondent No.1.

Civil Application (CAF) No.1468 of 2013.

This Court by the order dated 17-6-2013 directed the appellant to deposit 50% of the amount as per the Award. It is submitted that this amount is deposited by the appellant and as per the order passed by this Court on 12-2-2014, the respondent No.1 is permitted to withdraw the amount. The learned Advocate for the respondent No.1 submits that the amount deposited by the appellant is withdrawn by the respondent No.1.

As per the Award, out of the compensation of Rs.8,00,000/-, Rs.4,00,000/- were to be kept in a fixed deposit in the Nationalised Bank. The interim order granted by this Court on 17-6-2013 is continued on condition that the appellant shall deposit the balance amount as per the Award with the Registry of this Court till 16-3-2015. If the amount is deposited within the stipulated time, the Registry shall invest it in fixed deposit in the Nationalised Bank initially for a period of three years and it shall be renewed every year till the decision of the appeal. If the amount is not deposited within the stipulated time, the interim order shall stand vacated without reference to the Court.

The civil application is disposed in the above terms.

JUDGE