

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

8 CIVIL APPLICATION NO. 12806 OF 2016
IN FAST/38273/2015 WITH CA/5799/2016 IN
FAST/38273/2015

VINAY ANIL MULE (MULAY)
VERSUS
THE DIVISIONAL CONTROLLER M.S.R.T.C THR DEPOT
MANAGER

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Advocate for Applicant : Mr. Tambe Rahul A.
Mr. RN Jain, Adv. h/for Mr. D.S. Bagul For
R/sole.

CORAM : P.R.BORA, J.

DATE : 25th October, 2016.

PER COURT :

1) Heard. Considering the contentions made in the CA for withdrawal of the amount and the grounds of objections raised in the memo of appeal, I deem it appropriate to pass the following order, -

ORDER

i) The applicant is permitted to withdraw 50% of the deposited amount on submitting an undertaking that, in the event any adverse order is passed against him in the appeal, he will re-deposit the amount within four months of passing such order;

ii) Balance 50% amount be invested in a Fixed Deposit Receipts in any Nationalized Bank,

till disposal of the appeal.

isii) The amount so permitted to be withdrawn be transmitted to Motor Accident Claims Tribunal, Shrirampur so as to facilitate the applicant/original claimant to withdraw the said amount.

iv) The undertaking so directed as above be submitted before the Tribunal.

v) CA for withdrawal of amount is disposed of.

2) Heard on CA for condonation of delay. For the reasons stated in the application, which according to me are just and sufficient, delay of 21 days occurred in filing the present appeal is condoned. Appeal be registered in accordance with law. CA for condonation of delay disposed of.

3) After registration of the appeal, issue notice of final disposal to respondents. Shri Tambe, learned Counsel waives notice of final disposal on behalf of the respondents. Service complete. Place the matter for final disposal on 5th December, 2016.

(P.R.BORA)
JUDGE

bdv/