

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

908 CIVIL APPLICATION NO. 15912 OF 2015
IN FA/2637/2013 AND FA 1180/2011

SMT.SUSHILA SHRIMANT @ HANUMANT PHAD AND ORS.
VERSUS

THE DIVISIONAL CONTROLLER, NEKSRTC, BIDAR

Advocate for Applicants : Mr.Kedar Balbhim R.
Advocate for Respondent : Mr.V.D.Gunale

**CORAM : R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.**

DATE: 11th October, 2017

PER COURT :-

1) By this Civil Application, the applicants seek an order and direction against the respondent (original appellant) to deposit balance 50% amount and for disbursement of the said amount in favour of the applicants. He also seeks to expedite hearing of the First Appeal No.2637 of 2013.

2) A perusal of the order dated 5.7.2011 passed by this Court indicates that an ad-interim stay was granted by this Court in favour of the original appellant on condition of deposit of 50% of the amount recoverable under the award passed by the Motor Accident Claims Tribunal, Ambajogai. The said order was confirmed by this Court by order dated 14.9.2011. The applicants are already allowed to withdraw the said 50% amount on submitting undertaking to this Court.

3) No case is made out for modification of the order of this Court

for deposit of further amount. However, since two of the applicants are senior citizens, hearing of First Appeal No.2637 of 2013 and First Appeal No.1180 of 2011 is expedited.

4) The original appellant to supply private paper book within three months from today and shall serve a copy of thereof simultaneously on the applicants/original respondents.

5) It is made clear that no further extension would be granted.

6) The applicants herein are permitted to apply for fixing a date of hearing of First Appeal after receiving private paper book from the original appellant.

7) Civil Application is accordingly disposed of in the aforesaid terms. No order as to costs.

(SUNIL K. KOTWAL, J)

(R.D. DHANUKA, J)

spt