

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

**48 CIVIL APPLICATION NO.9311 OF 2018 IN
FA/1032/2018 WITH CA/3835/2018 IN FA/1032/2018 WITH
CA/9312/2018 IN FA/1032/2018 WITH CA/9313/2018 IN
FA/1032/2018**

ASHA DATTATRAYA ZENDE AND ORS
VERSUS
THE DIVISIONAL CONTROLLER, M.S.R.T.C., AHMEDNAGAR

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Advocate for Applicants : Mr. S.L. Bhapkar
Advocate for Respondent : Mr. B.S. Deshmukh

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**CORAM : P.R. BORA, J.
DATED : 03rd SEPTEMBER, 2018.**

PER COURT:-

1. Heard Shri Bhapkar, learned counsel appearing for applicants and Shri Deshmukh, learned counsel appearing for M.S.R.T.C. Perused the impugned judgement and the grounds of objections raised in exception to the impugned judgement and the award.

2. Considering the averments made in the application for withdrawal and the grounds of objections raised in the memo of appeal, I deem it appropriate to pass the following order:

ORDER

(i) The applicants are permitted to withdraw 60%

(2)

of the deposited amount, on submitting an undertaking to the satisfaction of the Registrar of this Court.

(ii) Balance 40% of the amount be invested in Fixed Deposit Receipt in any nationalized Bank, initially for a period of one year and if so required, for the further period till disposal of the appeal.

(iii) The Civil Application for withdrawal of amount stands disposed of.

3. The hearing of the appeal is expedited.

4. It is clarified that an attempt would be made to dispose of the appeal at the admission stage. Learned counsel Shri Bhapkar waives service of final disposal on behalf of original claimants. Service is completed.

5. List the matter for final disposal on 09.10.2018.

(P.R. BORA, J.)