

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

**CIVIL APPLICATION NO.9437 of 2018
in
FIRST APPEAL NO. 2030 OF 2018**

Yasminbegum Mohamad Shahebaj and others

Versus

The Divisional Manager, MSRTC, Beed Depot,
Beed and another.

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Mr. S.S. Kazi, Advocate for the applicants.
Mr. S.R. Bagal, Advocate for the respondents.

CORAM : V.L. ACHLIYA,J.

DATED : 23th JULY, 2018.

PER COURT :-

1. The applicants have moved this application seeking modification of the order dated 15th June, 2018 passed in Civil Application No. 6560 of 2018 for the reasons set out in detail in the application.

2. Mr. Kazi, learned counsel for the applicants submits that vide order dated 15th June, 2018, the applicants were permitted to withdraw the amount of Rs. 25,00,000/- (Rupees Twenty Five Lakhs). Out of Rs. 25 Lakhs, an amount of Rs. 5 Lakhs was directed to be invested in Fixed Deposit in the name of applicant No.2 and the balance amount of Rs. 20 Lakhs was directed to be disbursed in favour of the applicant Nos. 1,3 and 4. He submitted that the applicant Nos. 1,3 and 4 are not having joint accounts and, therefore, urged to modify the order in terms of prayer clause (B).

3. Mr. Bagal, learned counsel for the respondent/original appellant - MSRTC submits that in view of the order permitting withdrawal being already passed, appropriate orders may be passed in favour of the applicants.

4. On due consideration of the submissions advanced on behalf of parties, I am of the view that the order dated 15th June, 2018 deserves to be modified in terms of prayer clause (B). Accordingly, the application is allowed in terms of prayer clause (B) subject to furnishing the undertaking by each of the applicants to the satisfaction of the Registrar (Judicial) of this court, to the extent of amount allowed to be withdrawn by them, in terms of the modified order. Registry to do the needful for disbursement of the amount in favour of the applicants. The application stands disposed of.

[V.L. ACHLIYA]
JUDGE

grt.