

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 374 OF 2018
WITH
CIVIL APPLICATION NO. 375 OF 2018
WITH
CIVIL APPLICATION NO. 4124 OF 2018
IN
FIRST APPEAL (ST.) NO. 2127 OF 2018**

Maharashtra State Road Transport
Corporation Limited .. Applicant/Appellant

Vs.

Mr.Manohar Kisan Satpute & Anr. .. Respondents

Ms. V.P. Deshmukh, Advocate for applicant/appellant.

Mr.T.J. Mendon, Advocate for respondent Nos.1 and 2.

CORAM : A.S. CHANDURKAR, J.

DATE : 4TH DECEMBER 2018

P.C.

**CIVIL APPLICATION NO. 374 OF 2018
(FOR CONDONATION OF DELAY)**

1 The applicant is seeking condonation of delay in filing the first appeal. The cause of delay is mentioned in paragraphs 2 and 3 of the application. Though the prayer is opposed by the learned counsel for the respondents, considering reasons mentioned the delay stands condoned.

2 The civil application is allowed and disposed of.

**CIVIL APPLICATION NO. 375 OF 2018
(STAY)**

3 As the entire amount of compensation is deposited with the Claims

Tribunal, execution of the impugned award shall remain stayed during the pendency of the appeal.

4 The civil application is disposed.

**CIVIL APPLICATION NO. 4124 OF 2018
(FOR WITHDRAWAL)**

5 Heard the learned counsel and perused the impugned judgment.

6 In the facts of the case, the applicants are permitted to withdraw 50 percent of the amount of compensation as deposited. The applicants shall file an undertaking in this Court within eight weeks stating therein that if the appeal is allowed, the amount withdrawn shall be re-deposited with interest. The balance amount will remain invested in fixed deposit.

FIRST APPEAL (ST.) NO. 2127 OF 2018

7 Heard.

8 Admit.

9 Call for record and proceedings.

The learned counsel waives notice for the respondents.

(A.S. CHANDURKAR, J.)