

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

**CIVIL APPLICATION NO. 3242 OF 2017
WITH
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WITH
CIVIL APPLICATION NO. 4412 OF 2018
IN
FIRST APPEAL (ST.) NO. 13512 OF 2017**

Maharashtra State Road Transport Corporation .. Applicant/Appellant

Vs.

Mr.Ranbir Kumar Dhanpatrai .. Respondents
Chouddhary & Anr.

Mr.GopalKrishna Shivaram Hegde, Advocate for applicant/appellant.

Mr.Sudhakar G. Thorat for respondent Nos.1 and 2 in FAST/13512/2017
and for applicant in CAF/4412/2018.

**CORAM : A.S. CHANDURKAR, J.
DATE : 19TH DECEMBER 2018**

P.C.

Not on board. Taken up on production.

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1 The prayer is to withdraw the amount of compensation. The application is opposed by the learned counsel for the appellant. Perused the impugned judgment as well as the nature of evidence available on record. Considering the facts of the case, the claimants are permitted to withdraw Rs.15 lakhs from the amount deposited. The claimants shall also file an undertaking stating therein that if the appeal is allowed, the amount withdrawn will be re-deposited with interest at the rate the Court may

direct. The balance amount shall remain invested in fixed deposit. The civil application is allowed and disposed of.

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2 Considering reasons mentioned, the delay in filing the first appeal stands condoned. The civil application is allowed and disposed of.

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3 Heard. **Admit.** Call for record and proceedings.

The learned counsel waives notice for respondent Nos.1 and 2.

(A.S. CHANDURKAR, J.)