

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

CIVIL APPLICATION NO. 3074 OF 2016

WITH

CIVIL APPLICATION NO. 943 OF 2018

WITH

CIVIL APPLICATION NO. 1447 OF 2017

WITH

CIVIL APPLICATION NO. 3075 OF 2016

IN

FIRST APPEAL (ST.) NO. 14037 OF 2016

B.E.S.T. the Regional Manager/
General Manager, BEST Mumbai

.. Appellant

Vs.

Shri Ashok Kumar Raghupati Singh
& Ors.

.. Respondents

Mr.Kalzunkar, Advocate a/w. Mrs.Karishma, Advocate I/b M/s. Navdeep
Vora & Associates for appellant.

Smt. Sangeeta S. Salvi, Advocate for respondent Nos.1 to 3.

CORAM : A.S. CHANDURKAR, J.

DATE : 14TH DECEMBER 2018

P.C.

**CIVIL APPLICATION NO. 3074 OF 2016
(FOR CONDONATION OF DELAY)**

1 Heard the counsel and perused the application. Considering the reasons mentioned in the application which appear to be acceptable. The delay in filing the appeal stands condoned. The civil application is disposed.

FIRST APPEAL (ST.) NO. 14037 OF 2016

2 Heard. Admit. Call for record and proceedings.

The learned counsel waives notice for respondents.

**CIVIL APPLICATION NO. 943 OF 2018
AND
CIVIL APPLICATION NO. 1447 OF 2017
(FOR WITHDRAWAL)**

3 Heard the learned counsel and perused the impugned judgment.

4 Considering the nature of evidence on record, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimants shall file an undertaking in this Court within a period of eight weeks stating therein that in case the appeal is allowed, the amount withdrawn shall be re-deposited with interest at such rate the Court may direct. The remaining amount shall remain invested in fixed deposit.

5 The civil application is disposed of.

**CIVIL APPLICATION NO. 3075 OF 2016
(FOR STAY)**

6 As the entire amount of compensation has been deposited with the Claims Tribunal, further execution of the impugned award shall remain stayed during pendency of the proceedings.

7 The civil application is disposed of.

(A.S. CHANDURKAR, J.)