

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

**930 CIVIL APPLICATION NO.5031 OF 2019  
IN WP/71/2018**

**DHAMSING CHANDARSING RATHOD  
VERSUS  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION  
COMPANY LTD THROUGH THE EXECUTIVE ENGI**

...

Advocate for Applicant : Shri S.C. Yeramwar  
Advocate for Respondents : Shri S.V. Mundhe

...

**CORAM : P.R. BORA, J.  
Dated: June 07, 2019**

**PER COURT :-**

1. Heard Shri Yeramwar learned Counsel appearing for the applicant and Shri Mundhe learned Counsel appearing for the respondents. The respondents have deposited the amount of Rs.75,000/- in this Court as was directed by this Court. The applicant is seeking withdrawal of the said entire amount. The request so made is opposed by Shri Mundhe stating that, the negligence itself has not been proved and as such, the respondent – MSEDCL cannot be held responsible to pay any compensation.

2. After having considered the submissions and on perusal of the order passed by the Lok-Adalat, I deem it

appropriate to pass the following order.

ORDER

(i) The applicant is permitted to withdraw the amount of Rs.60,000/- from out of the deposited amount on submitting an undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(ii) Balance amount be invested in Fixed Deposit Receipt in any nationalized bank for the period till disposal of the appeal.

(iii) Civil Application stands disposed of.

(iv) Stand over to 24.06.2019.

( **PR. BORA, J.**  )

...