

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.9998 OF 2018
IN
FIRST APPEAL NO.393 OF 2010
(Jaymala Govind Bhange and others Vs. Divisional
Controller, Maharashtra State Road Transport
Corporation, Latur)

Mr. Shakil U. Shaikh, Advocate holding for Mr. R.D.
Biradar, Advocate for the applicants

CORAM : SUNIL K. KOTWAL, J.

DATE : 3rd MAY, 2019

ORDER :

Heard learned counsel Mr. Shaikil U. Shaikh holding for Mr. R.D. Biradar, Advocate for the applicants. None is present for respondent – Maharashtra State Road Transport Corporation.

2. This application is filed for withdrawal of the compensation amount.

3. I have gone through the award passed by the Tribunal. The compensation of the share of minor claimant Nos.2 to 4 is directed to be invested in Fixed Deposit Receipt. Therefore, permission cannot

be granted to withdraw the compensation amount of the share of claimant Nos.2 to 4. However, claimant Nos.1, 5 and 6 being major, I do not find any legal impediment to allow them to withdraw compensation amount of their share with proportionate accrued interest thereon. Hence, permission is granted to claimant Nos.1, 5 and 6 to withdraw the compensation amount with proportionate accrued interest thereon deposited in the Court, subject to filing written undertaking in the First Appeal to deposit the withdrawn amount as and when directed by this Court. The undertaking shall be filed within a period of eight weeks from the date of passing of this order. Civil Application is accordingly allowed and disposed of.

[SUNIL K. KOTWAL]
JUDGE

npj/ca9998-2018