

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

**1008 CIVIL APPLICATION NO.11198 OF 2019
IN FAST/19196/2019**

**SOMNATH SURESH MOGAL
VERSUS
M.S.R.T.C., THR DIV. CONTRLLER, AURANGABAD AND ANR**

...
Advocate for Applicant : Mr. Sonwane V.D.
Advocate for Respondent No.1 : Mr. M. K. Goyanka
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 13th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount. Respondent No.1-appellant has deposited amount of Rs.3,70,724/-.

2. Learned Advocate appearing for respondent No.1-appellant submits that the appeal has been filed on the ground that the learned tribunal did not consider the contributory negligence of the claimant and also on the basis of quantum.

3. Taking into consideration the points raised, definitely, case is made out for partial withdrawal of the amount and therefore, the applicant

is allowed to withdraw amount of Rs.1,40,000/- subject to filing an undertaking within a period of eight weeks that he would make the said amount good, if directed at the time of final disposal of the appeal.

4. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM