

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

**903 CIVIL APPLICATION NO.4378 OF 2021
IN
FIRST APPEAL NO.579 OF 2021**

THE M.S.R.T.C.,MUMBAI THR DIV. CONTROLLER, AHMEDNAGAR
VERSUS
SHIVAJI SHANKAR THORAT AND OTHERS

...
Mr.Bhausahab S. Deshmukh Advocate for Applicant.
...

CORAM: ANIL S. KILOR, J.

DATE : 21st APRIL, 2021

ORDER :

1. Shri Deshmukh, learned counsel appearing for the appellant - MSRTC states that several grounds have raised in the appeal memo and there is every possibility that MSRTC will succeed in this matter and in that case there is possibility that amount of compensation will be reduced. In that view of the matter, he submits that in the present matter the appellant is ready to deposit 50% of the total amount of compensation granted by the learned Tribunal. He further prays that upon depositing the amount the stay to the effect, operation and execution may be granted to the Judgment and award dated 11th

November 2019 passed by the Motor Accident Claims Tribunal, Ahmednagar in M.A.C.P. No.144 of 2014.

2. In view of the undertaking of the applicant that within ten weeks the applicant would deposit 50% of the total decretal amount in this Court, application is allowed in terms of prayer clause (B).

3. Accordingly, the civil application is disposed of, with liberty to the non-applicants that if they so desire, they may move the application for vacation of stay.

[ANIL S. KILOR, J.]

asb/APR21