

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

911 CIVIL APPLICATION NO.6961 OF 2022
IN FA/2279/2009

NIRMALABAI W/O. SARJERAO MANE AND ORS
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPN. THROUGH ITS
DIVISIONAL CONTROLLER AURANGABAD AND ANOTHER

Mr Ruchir Wani, Advocate h/f Mr A.S. Bajaj, Advocate for applicants
Mrs R.D. Reddy, Advocate for respondent no.1

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 4th May, 2022

PER COURT :

1. It is an application for withdrawal of compensation amount moved by the applicants.
2. Heard Mr Ruchir Wani holding for Mr A.S. Bajaj, learned Advocate for applicants and Mrs R.D. Reddy, learned Advocate for respondent No.1/MSRTC.
3. Mrs R.D. Reddy, learned Advocate for respondent No.1/M.S.R.T.C. submits that M.S.R.T.C. has deposited entire amount of compensation under the impugned award in this Court.
4. Perused the copy of judgment delivered in First Appeal No.2279 of 2009 dated 10.12.2021. First Appeal No.2279 of 2009 preferred by the M.S.R.T.C. came to be dismissed by this Court vide order dated 10.12.2021.
5. In view of dismissal of First Appeal, the applicants/claimants are entitled to withdraw the entire amount of compensation deposited by the appellant/M.S.R.T.C. in this Court with accrued interest thereon.

6. It is pointed out by Mr Wani, learned Advocate for applicants/claimants that applicant No.4/Raghunath s/o Kaduba Mane is no more and applicants No.1 to 3 are entitled to receive the entire amount of compensation with interest. Mrs Reddy, learned Advocate for appellant/M.S.R.T.C. has no objection since the appeal has been dismissed.

ORDER

- (i) The application is hereby allowed in terms of prayer clause (B).
- (ii) The application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

VVR