

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

914 CIVIL APPLICATION NO.5174 OF 2019
IN FAST/10900/2019 WITH CA/5175/2019 IN FAST/10900/2019

M.S.R.T.C., THR DIV. CONTROLLER, JALGAON
VERSUS
MANISHA KAMLAKAR KOLI AND ORS

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Advocate for Applicant : Mr. Manoj D. Shinde h/f
Mr. M. K. Goyanka

Advocate for Respondent Nos.1 to 6 : Mr. Rohit Dhongde h/f
Mr. S. S. Kulkarni

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 24/11/2022.**

P. C. :

1. Both the rival counsel submit that after disposal of MACP No.310 of 2015 and during the pendency of this appeal, there was settlement between the contesting parties in the concerned MACT, Jalgaon, in the execution proceeding.

2. The learned counsel for the MSRTC also tendered copy of communication dated 29/10/2021 issued to the Registrar of this court by Divisional Controller of appellant MSRTC, whereby it is mentioned that in view of the aforesaid settlement the appeal be allowed to be withdrawn and the statutory amount be refunded. The communication is marked 'X' for identification. In view of the same, following order is passed .

ORDER

- 1) The Civil Application No. 5174 of 2019 stands allowed in terms of prayer clause B and the appeal be registered.
- 2) The appeal stands withdrawn and disposed of.
- 3) The statutory amount of Rs.25,000/- deposited by appellant – MSRTC be returned to them alongwith the interest, if permissible.
- 4) Court fee be refunded as per rules.
- 5) Pending civil applications, if any, stand disposed of.

(SANDIPKUMAR C. MORE, J.)