

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

**CIVIL APPLICATION NO. 9737 OF 2022 IN
FIRST APPEAL NO. 1439 OF 2022**

The Maharashtra State Road
Transport Corporation

Applicant

Versus

Rukhamanbai w/o Shriram Sonwane
and others

Respondents

Mr. A. M. Reddy, advocate holding for Mr. B. S. Deshmukh,
advocate for the Applicant
Mr. Anil Basarkar, advocate for Respondents No.1 to 3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22nd November, 2022.

PC :

It appears that the applicant-appellant MSRTC has deposited the entire amount of compensation along with the accrued interest. As such, the application is made absolute in terms of prayer clause "B".

Civil Application is accordingly disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

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

**CIVIL APPLICATION NO. 14127 OF 2022 IN
FIRST APPEAL NO. 1439 OF 2022**

Rukhmanbai w/o Shriram Sonwane
and others

Applicants

Versus

Maharashtra State Road Transport
Corporation

Respondent

Mr. Anil P. Basarkar, advocate for applicants.

Mr. A. M. Reddy, advocate holding for Mr. B. S. Deshmukh,
advocate for the Respondent.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22nd November, 2022.

PC :

Heard rival submissions.

The applicants-claimants are seeking withdrawal of entire amount of compensation i.e. 75% on usual undertaking and 25% on solvent surety.

The learned Counsel for the appellant-MSRTC strongly opposed the application on the ground that the compensation is excessively granted by the learned Tribunal. However, by allowing the applicants withdrawal of 25% amount of the deposited amount on solvent surety would

suffice the purpose.

As such, the applicants are allowed to withdraw the 75% of the amount of award along with proportionate interest thereon by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining 25% of the award amount is allowed to be withdrawn by the applicants by furnishing solvent surety/security to the satisfaction of the Registrar (J) of this Court.

Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb