

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

**922 CIVIL APPLICATION NO.9821 OF 2022
IN FA/351/2022**

**SHAKIL YUSUF SHAIKH AND ORS
VERSUS
DIVISIONAL CONTROLLER, M.S.R.T.C., AHMEDNAGAR AND ANR**

...
Advocate for Applicants : Mr. N.C.Garud
Advocate for Respondent No. 1 : Mr. Anilkumar B.Dhongade
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 08.12.2022.

PER COURT :

1. Heard rival submissions.
2. The applicants/original claimants are seeking withdrawal of the entire compensation amount which has been deposited by respondent No. 1- MSRTC, who has filed this appeal. The learned counsel for the MSRTC strongly opposed the application on the ground that the learned Tribunal has granted excessive compensation. In view of the same, the applicants herein are permitted to withdraw 75% of the deposited amount along with accrued interest thereon till date, by furnishing usual undertaking before the Registrar (Judicial) of this Court. The aforesaid amount be distributed amongst the applicants in equal proportion and the amounts falling to the share of minor applicant Nos. 2 and 3 be kept

in FDR in any nationalized bank till they attend the majority. However, applicant No. 1 is entitled to withdraw the periodical interest on those amount for the maintenance of applicant Nos. 2 and 3.

3. The balance amount be invested in the FDR in any nationalized bank till final disposal of this appeal.

**(SANDIPKUMAR C. MORE)
JUDGE**

mahajansb/