

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION No. 2078 OF 2021

IN

FIRST APPEAL No. 563 OF 2002

Smt. Sulochana S. Sampat and Ors. ...Applicants

In the matter between

**The Executive Engineer, City Transport,
Bombay Municipal Corporation, Mumbai ...Appellant**

Vs.

Smt. Sulochana S. Sampat and Ors. ...Respondents

* * * *

Mr. Ravindra Pal i/b. R.V. Sankpal & Associates for Applicants

Coram : Sandeep K. Shinde, J.

Dated: 2nd MAY, 2022.

P.C.:

1. The Executive Engineer, City Transport, Bombay Municipal Corporation, deposited the compensation in the Registry of the High Court, Mumbai Bench, pursuant to the Judgment and Award dated 10th December, 2001 passed in M.A.C.P.No.113/1992.

2. The Claimants therein, moved this application, seeking permission to withdraw 50% amount of compensation with interest accrued thereon.

3. Heard learned counsel for the Applicants. None appears for the Respondents.

4. Perused the application. In consideration of the facts of the case, and the averments in the application, permission deserves to be granted to the Applicants to withdraw 50% amount of compensation, deposited by the Appellant with interest accrued thereon, till 31st March, 2022, subject to an undertaking to refund the amount, in the event, appeal succeeds.

5. Application is partly allowed and disposed of in the aforesaid terms.

(Sandeep K. Shinde, J.)