

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4499 OF 2023
IN FIRST APPEAL NO. 1023 OF 2007

SANGITADEVI RAMESHWARKUMAR KESARWANI AND
OTHERS
VERSUS
SHAIKH NAZIR SHAIKH IMAM AND OTHERS

...
Mr. J.N. Singh – Advocate for Applicants
Mr. M.K. Goyanka – Advocate for Respondent Nos.2 and 3
....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 17th April, 2023

PER COURT :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the respondent No.2 – M.S.R.T.C. as directed by this Court alongwith the interest accrued thereon. Admittedly, First Appeal No.1023 of 2007 is disposed of.
3. However, it appears that learned Tribunal had granted compensation only to the present applicant no.1 and at the

time of passing order in appeal this Court inadvertently held that all the appellants are entitled for enhanced compensation amount. Today the applicant nos.3 (ii) to (iv) have filed affidavits on record mentioning that the amount of enhanced compensation be given to applicant no.1 only. The learned counsel for respondent no.2 – M.S.R.T.C. has not raised any strong objection and therefore the amount of enhanced compensation alongwith the interest deposited by the respondent no.2 – M.S.R.T.C. be paid to applicant no.1 only.

4. The civil application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE