

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

980 CIVIL APPLICATION NO.12471 OF 2023
IN FAST/14129/2023 WITH CA/5891/2023 IN FAST/14129/2023 WITH
CA/5892/2023 IN FAST/14129/2023

SUDAM SHANKAR BHALKE
VERSUS
THE DIVISIONAL CONTROLLER MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION PARIVAHANMAHAMANDAL MSRTC

...
Advocate for Applicant : Mr. U.U. Wagh
Advocate for Respondent sole : Mr. M.D. Shinde

...
CORAM : ARUN R. PEDNEKER, J.
DATED : 12/10/2023

PER COURT :

1. The first appeal is filed by the Insurance Company on the ground of contributory negligence along with the application for condonation of delay of 83 days caused in filing the appeal. As there is no objection from other side and for the reasons stated in the application, the delay of 83 days caused in filing the appeal is condoned. Civil application for delay condonation is allowed.
2. In civil application filed for withdrawal of amount, having heard the learned counsel for the parties, without going into the merits of the matter, I deem it appropriate to permit the applicant to withdraw 1,50,000/- (Rupees one lakh fifty thousand only) along with the accrued interest thereon till date on furnishing usual undertaking to the satisfaction of the Registrar Judicial of this Court.
3. Since the appellant has deposited the amount of compensation as directed by this Court, the ad-interim stay granted earlier is confirmed. Stay application is disposed of.
4. Appeal is **admitted**.
5. On admission, Mr. U.U. Wagh, learned counsel waives service of notice for original claimants.
6. Call R. & P.

[ARUN R. PEDNEKER J.]

ssc/