

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

935 CIVIL APPLICATION NO.10085 OF 2023
IN FA/2131/2021

MAHADEVI UMAKANT LAVHRALE & OTHERS
VERSUS
SUBHASH MOHAN DHANDE & ANOTHER

...

Advocate for the applicants : Mr.R.P.Adgaonkar
Advocate for Respondent no.1 : Mr.Vishnu B. Madan h/f.
Mr.D.S.Bagul

...

WITH

CIVIL APPLICATION NO.10519 OF 2021
IN FA/2131/2021
WITH FIRST APPEAL NO.2131 OF 2021

MSRTC, LATUR
VERSUS
MAHADEVI UMAKANT LAVHARALE & OTHERS

...

Advocate for the applicant : Mr.Vishnu B.Madan h/f.
Mr.D.S.Bagul
Advocate for the respondent nos.1 to 5 : Mr.R.P.Adgaonkar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 27.09.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL

1] The present Civil Application is filed to withdraw the amount deposited by the MSRTC in this Court.

2] The First Appeal is filed by the MSRTC, challenging the award of compensation granted by the Motor Accident Claims Tribunal on the ground of quantum of compensation so also on the ground of negligence.

3] This Court has granted stay to the order of the Tribunal subject to deposit of 100% amount of compensation.

4] Having heard the learned counsel for the parties. I deem it appropriate to permit the applicants to withdraw 50% amount deposited in this Court along with interest accrued thereon subject to furnishing usual undertaking to the satisfaction of the Registrar [Judicial] of this Court. Undertaking to be filed by the widow and parents of the deceased. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR STAY

The applicant – MSRTC has deposited entire award amount in this Court. The interim stay granted by this Court stands confirmed. Civil Application is disposed of accordingly.

C] ORDER IN FIRST APPEAL

1] First Appeal is **admitted**.

2] On admission, Mr.R.P.Adgaonkar, learned counsel waives notice for the respondent nos.1 to 5.

3] Call R. & P.

4] Office objections, if any, to be removed within four weeks.

[ARUN R. PEDNEKER]
JUDGE

DDC