

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

49 CIVIL APPLICATION NO.12314 OF 2023  
IN FAST/21274/2023 WITH CA/8741/2023 IN FAST/21274/2023 WITH CA/  
8742/2023 IN FAST/21274/2023

SWATI @ SAKSHI MADHAV SAWANT -AFTER MARRIAGE SWATI @ SAKSHI  
PRAKASH DHIGE-BEFOREMARRIAGE  
VERSUS

MAHARASHTRA STATE ROAD TRANSPORTATION CORPORATION Nanded  
THROUGH ITS DIVISIONAL CONTROLLER AND ANR

...  
Advocate for Applicant : Mr. S.N. Janakwade  
Advocate for Respondent 1 : Mr. Amol Mali h/f. Mr. D.S. Bagul  
...

**CORAM : ARUN R. PEDNEKER, J.**  
**DATED : 06/11/2023**

**PER COURT :**

1. Heard the learned counsel for the parties.
2. The appeal is filed on the grounds of quantum of compensation and Insurance Company is not made party to the proceedings before the lower Court. Widow and minor daughter of the deceased have filed application for withdrawal of amount deposited in this Court.
3. Having heard the learned counsel for the parties, I deem it appropriate to permit the widow of the deceased i.e. applicant No. 1 to withdraw 60% of the amount deposited in this Court as directed by the Tribunal towards her share along with the proportionate accrued interest thereon till date on furnishing undertaking to the satisfaction of the Registrar Judicial of this Court. Remaining amount be invested in F.D.R. in any nationalized bank on yearly renewal basis till final disposal of the appeal. Civil Application for withdrawal of amount is disposed of.
4. Since the appellant has deposited amount of compensation as directed by this Court, the ad-interim stay granted earlier is confirmed.

Stay application is disposed of.

5. In civil application for delay condonation, for the reasons stated in the application, particularly the administrative reasons, the delay of 33 days caused in filing the appeal is condoned. The application for delay condonation is disposed of.

6. Appeal is admitted.

7. On admission, Mr. S.N. Janakwade, learned counsel waives service of notice for original claimants.

8. Call R. & P.

[ARUN R. PEDNEKER J.]

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