

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

906 CIVIL APPLICATION NO.12424 OF 2023
IN FAST/1355/2023
WITH CA/528/2023 IN FAST/1355/2023
WITH CA/530/2023 IN FAST/1355/2023

SMT NIRMALA WO DATTATRAY SOLANKE & OTHERS
VERSUS
MSRTC THROUGH ITS MANAGING DIRECTOR
MAHARASHTRA VASHATUK BHAVAN DR ANANTRAO
NAIR MARG MUMBAI CENTRAL

...
Advocate for Applicants : Mr.D.M.Shinde
Advocate for Respondent nos.1 and 2 : Mr.M.D.Shinde

...

CORAM : ARUN R. PEDNEKER, J.
DATE : 02.11.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL

1] The present civil application is filed for
withdrawal of the amount deposited by the appellant in this
Court.

2] The first appeal is filed on the ground of
contributory negligence and quantum.

3] Heard the learned counsel for the parties.

4] Without going into the merits of the matter, the present applicants are permitted to withdraw 50% of the amount of compensation deposited in this Court along with interest accrued thereon till date on furnishing usual undertaking to the satisfaction of the Registrar [Judicial] of this court. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR DELAY

1] The present Civil Application is filed to condone the delay of 42 days in filing the First Appeal.

2] For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. Appeal be registered. Civil Application is disposed of accordingly.

C] ORDER IN CIVIL APPLICATION FOR STAY

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

D] ORDER IN FIRST APPEAL

1] First Appeal is admitted.

2] On admission, Mr.D.M.Shinde, learned counsel waives notice for respondent nos.1 to 3.

3] Call R. & P.

[ARUN R. PEDNEKER]
JUDGE

DDC