

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 CIVIL APPLICATION NO.12425 OF 2023
IN FA/2342/2023 WITH CA/6867/2023 IN FA/2342/2023

SAU CHANDRAKALA BHAUSAHEB THUBE AND ANR
VERSUS
VIJAY KADU SURAYAWANSHI AND ANR

...
Advocate for Applicants : Mr. Mangal R. Chavan Manal
Advocate for Respondents No.1 and 2 : Mr. A. B. Dhongade
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 03/11/2023

PER COURT :

1. The present appeal is filed by the MSRTC on the ground of contributory negligence. The civil application is filed for withdrawal of the amount deposited in this Court.
2. Without going into the merits in the matter I deem it appropriate to permit the applicants to withdraw 50% of the amount of compensation deposited in this Court along with accrued interest thereon till date, on an undertaking to the satisfaction of the Registrar Judicial of this Court. The application for withdrawal of amount stands disposed of.
3. In civil application filed for Stay, the learned Advocate for the applicants submits that the amount has been deposited in this Court as

per the directions of this Court. In view of the same, the Stay order passed by this Court dated 08/06/2023, is confirmed. The application filed for Stay stand disposed of.

4. The appeal is **admitted**.

5. After admission, the learned Advocate M. R. Chavan waives service of notice on behalf of respondents No.1 and 2.

(ARUN R. PEDNEKER, J.)

vj gawade/-.