

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

**59 CIVIL APPLICATION NO.1697 OF 2022
IN FA/2725/2019**

**RAHUL AMBADAS KALASKAR
VERSUS
M.S.R.T.C., THR DIV. CONTROLLER, MSRTC, NANDED**

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Advocate for Applicant : Mr. G. K. Muneshwar

Advocate for Respondent : Mr. M. K. Goyanka

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 06/02/2023.**

P. C. :

1. Heard.
2. The applicant is seeking withdrawal of the entire amount of compensation, which has been deposited by the MSRTC alongwith the interest accrued thereon with this court.
3. However, the learned counsel for the MSRTC opposed the application on the ground that there was collision between ST bus and motorcycle and the rider of the motorcycle being under influence of liquor had in fact gave dash to the ST bus. As such, he claims that the driver of said motorcycle had in fact responsible for the occurrence of the accident.
4. Therefore, considering this aspect, the applicant at this juncture, is permitted to withdraw 50% of the deposited amount of compensation alongwith the proportionate interest accrued thereon till date, on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The remaining amount be invested in FDR in any nationalized bank on yearly renewal basis till final disposal of the appeal.
6. The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-