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

**13 CIVIL APPLICATION NO. 6633 OF 2024
IN FAST/4616/2023**

CHANDRAKALA KAILAS UBALE AND ANR

....Applicants

VERSUS

**THE MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION THROUGH THE DIVISIONAL CONTROLLER
AND ANR**

.....Respondents

Mr. B. A. Shinde, Advocate for the applicants
Mr. S. S. Rathi, Advocate for respondent No.1

CORAM : KISHORE C. SANT, J.

DATE : 08th JULY, 2024

P. C.

1. Heard.

2. This application is for withdrawal of the amount deposited by the appellant in this court pursuant to the judgment and award dated 15-10-2022 passed by the learned MACT, Jalna in MACP No. 174/2019.

3. The ground of contributory negligence is raised in the appeal.

4. Learned advocate for the corporation has therefore opposed the application.

5. Considering the above, this court is inclined to allow the application. Hence, the following order:

ORDER

a] The applicants-original claimants are permitted to withdraw 50% of the amount deposited in this court alongwith accrued interest on furnishing usual undertaking. Further 25% of the amount deposited with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court. Balance amount be invested in fixed deposit in any nationalized bank to be renewed periodically.

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b] The application stands partly allowed and disposed off.

[KISHORE C. SANT, J.]

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