



(1) 918CA1846.24speaking

**THIS ORDER IS CORRECTED AND UPLOADED IN VIEW OF
THE ORDER DATED 20-03-2025.**

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

**918 CIVIL APPLICATION NO. 1846 OF 2024
IN FA/1017/2024**

SALIMA KALIM SHAIKH AND OTHERS

....Applicants

VERSUS

**DIVISIONAL CONTROLLER MAHARASHTRA STATE ROAD
TRANSPORT CORPORATION THROUGH ITS DEPOT
CONTROLLER**

.....Respondent

Mr. G. R. Bhumkar, Advocate h/f Mr. R. P. Bhumkar, Advocate for
the applicants

Mr. A. B. Dhongade, Advocate for the respondent

CORAM : KISHORE C. SANT, J.

DATE : 22nd NOVEMBER, 2024

P. C.

1. Heard.

2. This application is for withdrawal of the amount
deposited by the appellant-MSRTC towards compensation as per
the impugned judgment and award.

3. The application is vehemently opposed by the learned advocate for the appellant stating that there are good grounds involved in the appeal and there are chances of success. If amount is allowed to be withdrawn, it would be difficult to recover the said amount from the applicants.

4. However, considering that the applicants have lost earning member, this court is inclined to allow the application. Hence, the following order:-

ORDER

a] The application is allowed.

“b] The applicants are permitted to withdraw 50% of the amount alongwith accrued interest deposited in M. A. C. T., Osmanabaed in M.A.C.P. No. 57/2021 on furnishing usual undertaking. Further the amount of 25% alongwith accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Member,

M.A.C.T., Osmanabad. Remaining amount be kept in a fixed deposit in any nationalized bank till disposal of the appeal.”

c] The application stands disposed off.

APPEAL

1. Heard.
2. **Admit.**
3. Call R & P
4. Mr. Bhumkar, learned advocate waives service of notice for the respondents-claimants.

[KISHORE C. SANT, J.]