



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**85 CIVIL APPLICATION NO. 11143 OF 2024
IN FAST/3862/2024**

RUKHAMABAI MACCHINDRA SHINDE

VERSUS

THE DEPOT MANAGER MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION DHULE AND ANR

...

Advocate for Applicant : Mr. Shashank Rajendra Chaudhari.

Advocate for Respondent No.1 : Mr. D. S. Bagul.

...

AND

**CIVIL APPLICATION NO. 1806 OF 2024
IN FAST/3862/2024**

THE DEPOT MANAGER MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION DHULE

VERSUS

RUKHAMABAI MACCHINDRA SHINDE

AND

**CIVIL APPLICATION NO. 1807 OF 2024
IN FAST/3862/2024**

THE DEPOT MANAGER MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION DHULE

VERSUS

RUKHAMABAI MACCHINDRA SHINDE

...

Advocate for Applicant : Mr. Dnyaneshwar Suresh Bagul.

Advocate for Respondent No.1 : Mr. Shashank Rajendra Chaudhari.

...

CORAM : **KISHORE C. SANT, J.**

DATE : 17th October, 2024.

P.C.:

. Heard the learned counsel for the parties.

Application for condonation of delay:

2 This application is for condonation of delay of 241 days caused

in filing the first appeal. Though the office endorsement shows that the respondent is unserved, however, the respondent has appeared and even filed civil application for withdrawal of amount. In view of the same, service is complete.

3 For the reasons stated in the application, the delay stands condoned. The application stands allowed. Appeal be registered.

Application for stay:

4 Since the appellant has already deposited the entire amount in this Court, there shall be stay to the effect and execution of the impugned judgment and order till disposal of the appeal. The application stands allowed and disposed of.

Appeal:

5 Heard.

6 **Admit.**

Application for withdrawal of amount:

7 This application is for withdrawal of the amount deposited by the appellant / MSRTC in this Court. The application is opposed by the learned counsel for appellant / MSRTC. However, considering that the amount is already deposited and it is in no ones interest to keep the said amount idle, the following order is passed:-

ORDER

- I. The applicant is permitted to withdraw 50% of the amount alongwith accrued interest deposited in this Court on furnishing usual undertaking. Further 25% of the amount with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. Remaining amount be deposited in fixed deposit in any nationalized Bank.
- II. With this, the civil application for withdrawal of amount stands disposed of.

[KISHORE C. SANT, J.]

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