



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 CIVIL APPLICATION NO. 4419 OF 2024
IN FAST/40694/2019

ARJUNSINGH MEENA S/O PHULSINGH @ FOOLSING
VERSUS
M.S.R.T.C., THR ITS DIV. MANAGER, NANDED

...
Advocate for Applicant : Mr. Ashutosh S.Kulkarni
Advocate for Respondent : Mr. Anand D. Wange

...
CORAM : Y. G. KHOBRAGADE, J.

DATE : 26.04.2024

PER COURT :

1. Heard Mr. Ashutosh S.Kulkarni, learned counsel appearing for the applicant / original claimant and Mr. Anand D. Wange, learned counsel appearing for non-applicant/original appellant at length.
2. The applicant / original claimant has filed present application and seeks permission to withdraw the compensation deposited by the non-applicant /original appellant in First Appeal.
3. On face of record, it appears that the present applicant/claimant had instituted Motor Accident Claim Petition No. 276/2018 and prayed for compensation on account of sustaining severe injuries in accident occurred on 21.12.2017. On 29.06.2019, the learned Member, MACT, Nanded passed the Judgment and award and granted compensation to

the tune of Rs. 3,30,501/- inclusive NFL amount with interest @ 7.5 % per annum from the date of filing of the petition till its realization. Being aggrieved said Judgment and award, the original respondent - M.S.R.T.C. filed First Appeal Stamp No. 40694/2019 along with application for condonation of delay.

4. On 24.01.2020 this Court passed an order in Civil Application No. 868/2020 and granted stay in terms of prayer clause 'B' subject to the condition that the appellant/original respondent M.S.R.T.C. shall deposit the amount before this Court in terms of award. However, said appeal subsequently dismissed for non-removal of office objections vide order dated 19.10.2022.

5. Under these circumstances, it would be just and proper to permit the present applicant / original respondent to withdraw the deposited amount with accrued interest to the satisfaction of the learned Registrar (Judicial) of this Court.

6. The learned Registrar (Judicial) to release the said amount in favour of the present applicant after due verification with accrued interest. The Civil Application is accordingly disposed of.

(Y. G. KHOBRADE, J.)