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

**931 CIVIL APPLICATION NO. 8958 OF 2024
IN FA/2312/2024**

AND

**CIVIL APPLICATION NO. 12083 OF 2024
IN FA/2312/2024**

**MAHARASHTRA STATE ROAD TRANSPORT CORPORATION
MUMBAI THROUGH DIVISIONAL CONTROLLER
AHMEDNAGAR**

....Applicant

VERSUS

SUNITA DILIP RAHANE AND ORS

.....Respondent

Mr. D. S. Bagul, Advocate for the applicant

Mr. R. L. Kute, Advocate for the respondent Nos. 1 to 3

CORAM : KISHORE C. SANT, J.

DATE : 22nd NOVEMBER, 2024

P. C.

WITHDRAWAL

1. Heard the parties.

2. This application is for withdrawal of the amount deposited by the appellant MSRTC in the office of this court.

3. The application is opposed by the learned advocate for the appellant. He submits that the court has considered the income as Rs.10,000/- per months which is exorbitant.

4. However, considering that the applicant has examined owner of the cloth store where the deceased was working who has deposed that he was paying salary of Rs.10,000/- to the deceased. Hence, following order:

ORDER

a] The applicants are permitted to withdraw 75% of the amount deposited in the office of this court alongwith accrued interest on furnishing usual undertaking. Remaining amount be kept in a fixed deposit in any nationalized bank to be renewed from time to time pending the appeal.

b] The amount to be withdrawn be transferred to the learned Member, MACT, Sangamner with

direction to the learned Member to allow the applications to withdraw amount on taking an undertaking that in case the appeal is allowed, applicants shall re-deposit the said amount within twelve weeks from such judgment.

STAY

1. Since the appellant has deposited the entire amount in the office of this court alongwith interest, there shall be stay to the impugned judgment and award till disposal of the appeal.
2. The application stands disposed off.

APPEAL

1. Heard.
2. **Admit.**
3. Call R & P

[KISHORE C. SANT, J.]