



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION [CAF] NO.2002 OF 2024

IN

FIRST APPEAL ST. NO.8862 OF 2024

[The Controller, MSRTC, Sitabuldi, Railway Station Road, Nagpur .vs. Rekhabai wd/o Gajanan
Bhelkar and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Vivek H. Kedar, Advocate for Appellant.
Mr. PS. Mirache, Advocate for Respondents.

.....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 28th NOVEMBER, 2024.

1. This is an application for condonation of delay of 471 days caused for filing the appeal.
2. Perused the application.
3. Heard the learned advocate for both the sides.
4. Considering the reasons stated in the application that the time is required for processing the matter i.e. permission etc. from the higher authorities of the appellant which shows that the delay is not deliberately caused. However, considering the peculiar set of facts and the objection raised by the respondents, it would be proper to condone the delay in the interest of justice upon imposition of costs.
5. The application is allowed, subject to deposit cost of Rs.1,000/- in the office of the Vidarbha Lady Lawyers' Association, High Court, Nagpur.
6. The application is allowed accordingly.

Civil Application (CAF) No.3269/2024

1. This is an application for grant of permission to respondent nos.1 and 2 to withdraw the amount of compensation along with accrued interest thereon deposited by the appellant as per the award of the Tribunal.
2. Perused the application.
3. Heard the learned advocate for both the sides.
4. Learned advocate for the respondents has strongly objected the application.
5. Considering the peculiar set of facts, it would be proper to allow this application partly as under.
6. The application is partly allowed.
7. Registry is directed to pay 50% amount, out of amount under award, along with accrued interest thereon, to the claimants-respondent nos.1 and 2, on usual undertaking.
8. The application is allowed and disposed of.

First Appeal St. No.8862/2024

1. Heard.
2. **Admit.**
3. Issue notice to the respondents.
4. Mr. P.S. Mirache, learned advocate waives notice for the respondents.
5. Call for record and proceedings.

(SANJAY A. DESHMUKH, J.)