



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

**CIVIL APPLICATION NO.8180 OF 2025  
IN FAST NO.8671/2025**

Rutuja Suresh Munde and ors  
vs.  
Divisional Controller, M.S.R.T.C., and anr.

-----  
Mr.P.D.Jarare, Advocate for applicants  
Mr.D.S.Bagul, Advocate for respondent no.1  
-----

**CORAM : AJIT B. KADETHANKAR, J.**  
**DATE : SEPTEMBER 12 2025**

**ORDER :-**

This is a Civil Application seeking permission to withdraw the amount deposited by the appellant in this court, pursuant to the order passed by this court staying the execution and operation of the judgment and award, impugned in the appeal.

2. The applicants submits that they are in dire need of money and have not received the fruits of the trial that was conducted in the learned Tribunal. However, the appellant, initially, vehemently, opposed the application, on the ground that the valuable rights of the appellant are involved in the main appeal. That, if the deposited amount is allowed to be withdrawn, the very purpose of filing the appeal itself, would stand frustrated.

3. Upon having heard the parties, I am of the considered view that today, the award stands in favour of the applicants. The entitlement of the applicant to receive the awarded compensation as well as ascertainment of the quantum has been adjudicated by learned Tribunal, upon examination of the facts and scrutiny of the evidence.

4. In the circumstances, I am of the considered view that the interest of both the parties can be secured by permitting the applicants to withdraw the amount, as ordered below by imposing certain conditions:-

(i) Civil Application stands partly allowed.

(ii) The applicants are permitted to withdraw 50% of the amount deposited, on furnishing usual undertaking to the satisfaction of learned Registrar (Judicial), on furnishing solvent security/surety to the satisfaction of learned Registrar (Judicial) of this Court.

**[AJIT B. KADETHANKAR, J.]**

KBP