



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

47 CIVIL APPLICATION NO. 1130 OF 2025
IN FAST/3698/2024

Keshav Gopal Shevale And Ors

VERSUS

Maharashtra State Regional Transport Cor And Anr

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Advocate for Applicant : Mr. R.V. Gore

Advocate for Respondents : Mr. A.D. Wange

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WITH

CIVIL APPLICATION NO. 4263 OF 2024 IN FAST/3698/2024

WITH

CIVIL APPLICATION NO. 4264 OF 2024 IN FAST/3698/2024

...

AND

48 CIVIL APPLICATION NO. 1133 OF 2025 IN FAST/3637/2024

Kacharu Tukaram Joshi And Anr

VERSUS

Maharashtra State Regional Transport Cor Through Divisional
Controller And Anr

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WITH

CIVIL APPLICATION NO. 4259 OF 2024 IN FAST/3637/2024

WITH

CIVIL APPLICATION NO. 4260 OF 2024 IN FAST/3637/2024

CORAM : S. G. CHAPALGAONKAR, J.

Dated : January 28, 2025

ORDER :-

Withdrawal applications :-

1. Heard learned advocates appearing for the respective parties.

2. The applicants are seeking permission to withdraw the amount deposited by the appellant M.S.R.T.C. in pursuance to the award passed by the MACT, Jalna.

3. The appeal is mainly filed on the ground of quantum and negligence. There are multiple claims arising out of the said accident. Looking to the grounds of appeal, this Court permitted withdrawal of 75% amount to the claimants in connected appeals having similar facts.

4. Learned counsel appearing for the respective parties are agreeable if same course is followed in the present application/s.

5. In that view of the matter, applicants are permitted to withdraw 50% of the amount deposited by the respondent MSRTC alongwith the accrued interest on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this court. In addition to the aforesaid amount, the claimants are further permitted to withdraw 25% of the amount alongwith interest on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court. Rest of the amount be kept in fixed deposit in any nationalized bank till disposal of the appeal. Civil applications for withdrawal of the amount stand disposed of.

Stay Applications :-

6. Learned counsel appearing for the applicant submits that entire amount as per the award passed by the Tribunal is

deposited. In that view of the matter, the applications are allowed in terms of prayer clause 'B' and disposed off.

Delay Applications :-

7. Heard learned advocates appearing for the respective parties.

8. The applicant seeks to condone the delay caused in filing the appeal.

9. Looking to the reasons, it appears that delay is occurred due to administrative compliance. The applicant/s has not derived any advantage by making the delay. Hence, the applications are allowed. Delay caused in filing the appeal is condoned. CA stand disposed off.

10. Appeal be registered. On registration of the appeal, **Admit.** Learned counsel waives notice for respondent on admission.

(S. G. CHAPALGAONKAR, J.)

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