

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

**930 CIVIL APPLICATION NO. 1486 OF 2025
IN FAST/15673/2018
WITH
CIVIL APPLICATION NO. 12598 OF 2018
IN FAST/15673/2018
WITH
CIVIL APPLICATION NO. 12599 OF 2018
IN FAST/15673/2018**

**BHAGIRATH SHYMAJI SHINGANE AND ANOTHER
VERSUS
THE DIV. CONTROLLER, M.S.R.T.C DIV. AHMEDNAGAR**

...
Mr. S.L. Bhapkar, Advocate for the applicants.
Mr. B.S. Deshmukh, Advocate for the respondent.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 12 FEBRUARY 2025.

ORDER:-

IN CIVIL APPLICATION NO. 1486 OF 2025 :

1. Heard rival submissions.
2. The applicants/claimants are seeking withdrawal of the entire amount of compensation alongwith the interest accrued thereon, which has been deposited by the respondent M.S.R.T.C.
3. The learned Counsel for the M.S.R.T.C. strongly opposed the application on the ground that the applicants have already withdrawn amount of Rs. 11,10,700/-.
4. However, it would be proper to permit the applicants to withdraw further amount of Rs. 25,00,000/- from the deposited amount of compensation alongwith the proportionate interest accrued thereon till date. As such, the

aforesaid amount is allowed to be withdrawn by the applicants in equal proportion, on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

6. The civil application is accordingly disposed of.

CIVIL APPLICATION NO. 12598 OF 2018 :

1. The appellant – M.S.R.T.C. is seeking condonation of delay of only 46 days. As such, considering short period of delay, it stands condoned.

2. The appeal be placed for admission after removal of office objections, if any.

3. Application is accordingly disposed of.

IN CIVIL APPLICATION NO. 12599 OF 2018 :

1. Since the appellant M.S.R.T.C. has deposited entire amount of compensation, the application is made absolute in terms of prayer clause and disposed of.

2. Call record and proceeding in the appeal.

(SANDIPKUMAR C. MORE, J.)