



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

CIVIL APPLICATION (CAF) NO. 963 OF 2024

WITH

CIVIL APPLICATION (CAF) NO. 138 OF 2025

IN

FIRST APPEAL (ST) NO. 4333 OF 2024

(Maharashtra State Road Transport Corporation V/s Parasmal Jitamal Mehata & Ors.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr. V. H. Kedar, Advocate for Appellant.
Ms. Shilpa Giratkar, Advocate for Respondent No.1
Ms. Mrunal Naik, Advocate for Respondent No.4.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : JANUARY 16, 2025.

CIVIL APPLICATION (CAF) NO. 963 OF 2024

- . Heard rival submissions.
2. The Appellant/MSRTC is seeking condonation of delay of 239 days in filing Appeal against the Judgment and Award dated 23/3/2023 in MACP No. 97/2012.
3. Though the learned Counsel for Respondents/ Claimants strongly opposed the Application, but considering the statutory right and reasons mentioned in the Application, the aforesaid delay stands condoned.
4. The Civil Application stands disposed of accordingly.
5. The Appeal be registered after removal of office objections, if any.

CIVIL APPLICATION (CAF) NO. 138 OF 2025

- . Heard rival submissions.
2. Appearance of the Respondent Nos.2 and 3 is dispensed with.
3. The Respondent No. 1/Claimant is seeking withdrawal of entire compensation amount along with the interest, under this Application.
4. The learned Counsel for Appellant/MSRTC though opposed the Application, but fairly consented for withdrawal of 50% amount. However, considering the submission of learned Counsel for the Respondent No.1/Claimant that Respondent No.1 is suffering from Cancer, certain additional amount can be permitted to be withdrawn.
5. In view of the same, the Respondent No.1/Claimant is permitted to withdraw 75% of the deposited amount of compensation i.e. 50% on usual undertaking and 25% on furnishing solvent surety to the satisfaction of Registrar (Judicial) of this Court. The remaining amount be kept in FDR in any Nationalized Bank on yearly renewal basis during the pendency of this Appeal.
6. The Civil Application stands disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)