



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

965 CIVIL APPLICATION NO. 398 OF 2026
IN X-OBJST/37590/2025

MANDABAI DINKAR SHINDE AND ORS

VERSUS

THE DIV. CONTROLLER, M.S.R.T.C., DIV. AHMEDNAGAR AND ANR

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Advocate for Applicant : Mr. Sartaj H. Pathan, h/f Mr. Vinod Y. Bhide.

Adv. for Respondent No.1 : Mr. Bhausahab Deshmukh & Mr. Atul Pawar.

...

WITH

CIVIL APPLICATION NO. 10696 OF 2025
IN FA/3048/2025

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 28th January, 2026.

P.C.:

1 Heard the learned counsel for the parties. Perused the applications.

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2 This is an application for condonation of delay of 38 days caused in filing the cross-objection.

3 The learned counsel for the applicants submits that the delay is not deliberate caused and prays to allow the application in the interest of justice.

4 On perusal of the application, this Court found that the delay is not deliberately caused.

5 For the reasons stated in the application, the delay stands condoned. The application stands allowed in the interest of justice. Cross-Objection be registered.

Cross-Objection:

6 Issue notice to the respondents. Mr. Bhausahab Deshmukh, learned counsel waives notice on behalf of respondent No.1.

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7 This application is for withdrawal of the amount deposited by the appellant in this Court.

8 The learned counsel for the appellant strongly opposes the application and submits that by an order dated 2nd November 2020 passed in Civil Application No.7240 of 2020, this Court has permitted the claimants to withdraw an amount of Rs.7,00,000/-, which amount has already been withdrawn by the claimants. He, therefore, prays to reject the application.

9 The learned counsel for the applicants pointed out the order dated 9th October, 2025 passed in Civil Application No.10696 of 2025, in which this Court observed that the claimants are permitted to withdraw the part of the amount deposited by the appellant. However, the exact quantum of the amount to be withdrawn is not clarified.

10 In view of the above and for the reasons stated in the application as well as considering the arguments of both the sides, the following order is passed :-

ORDER

- I. The applicants are permitted to withdraw 50% of the remaining amount deposited by the appellant in this Court, with accrued interest thereon, on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- II. With this, the civil application for withdrawal of amount stands disposed of.

[SANJAY A. DESHMUKH, J.]

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