



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

944 CIVIL APPLICATION NO. 13301 OF 2025
IN FA/1708/2025

USHABAI SAHEBRAO GAVHALE AND ORS
VERSUS
THE CONTROLLER MAHARASHTRA STATE REGIONAL TRANSPORT
THROUGH DIVISIONAL CONTROLLER AND ANR

...
Advocate for Applicants : Mr. Meera Ambadasrao Bhosle.
Advocate for Respondent No.1 : Mr. D. R. Bagul, h/f Mr. D. S. Bagul.
...

WITH
CIVIL APPLICATION NO. 7000 OF 2025
IN FA/1708/2025
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 16th January, 2026.

P.C.:

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

Application for stay:

2 This is an application seeking stay to the execution of the impugned judgment and award.

3 The learned counsel for the applicant / appellant submits that the entire amount as per the impugned judgment and award is deposited in this Court.

4 In view of the above, there shall be stay to the impugned judgment and award till the pendency of the appeal. The application stands disposed of.

Application for withdrawal of amount:

5 This application is for withdrawal of the amount deposited by the appellant in this Court as per the impugned judgment and award.

6 The learned counsel for the appellant strongly opposes the application and submits that the Tribunal determined the age of the deceased on the basis of the Aadhaar Card.

7 For the reasons stated in the application and considering the arguments of both the sides, the following order is passed :-

ORDER

- I. The application is partly allowed.
- II. The applicants are permitted to withdraw 25% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking. Further 25% of the amount with accrued interest thereon is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of learned Registrar (Judicial) of this Court.
- III. The Registry is directed to not to insist for the actual valuation of the property of the surety.

- IV. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.

[SANJAY A. DESHMUKH, J.]

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