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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO. 3849 OF 2026
IN FAST/25287/2025

Rekha Deepak Aware

VERSUS

The Divisional Controller Maharashtra State Road Transport
Corporation

...

Advocate for Applicant : Mr. Amol S. Gandhi

Advocate for Respondents : Mr. Akshay Nerul h/f Mr. D.S. Bagul

.....

AND

CIVIL APPLICATION NO. 9773 OF 2025

WITH

CIVIL APPLICATION NO. 9774 OF 2025

IN FAST/25287/2025

Maharashtra State Road Transport Ahmednagar

VERSUS

Rekha Dipak Aware And Ors

...

Advocate for Applicant : Mr. Akshay Nerul h/f Mr. D.S. Bagul

Advocate for Respondents : Mr. Amol S. Gandhi

CORAM : SANJAY A. DESHMUKH, J.

DATED : 2nd APRIL, 2026

PER COURT :-

1. The civil application No. 3849 of 2026 is filed for withdrawal of the amount. Perused the application. Heard learned advocates for both the sides. Learned advocate for the respondent strongly opposed the application. Considering the peculiar facts of this case, the application deserves to be allowed partly. The application is thus partly allowed. The applicant is permitted to withdraw 50% amount with accrued interest thereon, as per the apportionment made by the Tribunal, on

furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.

2. In so far as the civil application No. 9773 of 2025 is concerned, the same is filed for condonation of delay of 97 days caused in filing the first appeal. Perused the application and heard learned advocates for both sides. Learned advocate for the respondent strongly opposed the application. Considering the reasons stated in the application, it appears that the delay caused is not intentional or deliberate. Therefore, the application is allowed. Delay caused in filing the first appeal is condoned in the interest of justice.

3. In so far as the civil application No. 9774 of 2025 is concerned, the same is filed for grant of stay to the impugned judgment and award passed by the Tribunal. Learned advocate for the applicant submitted that the entire amount under award has been deposited in this Court. In view of the same, civil application is allowed in terms of prayer clause "C" and disposed of.

4. In first appeal, issue notice to the respondents, returnable on 11.06.2026. Learned advocate Mr. Gandhi waives notice for respondent Nos.1 to 4. Call for record and proceedings.

(SANJAY A. DESHMUKH, J.)