

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5755 OF 2016
IN FA/1470/2016

PRAKASH DINKAR DESHPANDE AND ANR
VERSUS
SANDIPAN PANDURANG KAMBLE AND ANR

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Advocate for Applicants : Mr. Patel Fayaz K.
advocate for Respondent No.2: Mrs. Ranjana Reddy
Advocate for Respondent No.3 : Mr. S.B. Bhosikar
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CORAM : V. K. JADHAV, J.
DATED : 29th APRIL, 2016

PER COURT:-

1. Learned counsel for the applicants submits that there is death of young daughter of the claimants. Deceased Pooja had completed her graduation in computer applications and she was a student of M.B.A. at the time of her accidental death. Learned counsel submits that considering the bright future of deceased Pooja, the Tribunal has awarded just and reasonable compensation by considering future loss of income.

2. Learned counsel appearing for respondent M.S.R.T.C. submits that the Tribunal has awarded exorbitant amount of compensation. Deceased Pooja was non earning member and learned Tribunal has considered her monthly income of Rs.20,000/- and accordingly awarded compensation. Learned counsel in the alternate submits

that the applicants-claimants may be permitted to withdraw the amount of Rs.5.00 lacs as per their original claim and further they may be permitted to withdraw half of the interest on the amount deposited by the respondent M.S.R.T.C. before this Court.

3. Considering the nature of the challenge to the judgment and award passed by the Tribunal, the claimants are permitted to withdraw the amount of Rs.8,00,000/- (Rupees eight lacs only) with accrued interest.

4. The remaining amount shall be kept in FDR in any Nationalized Bank till disposal of the appeal. The claimants are permitted to withdraw half of the interest amount on the said FDR till disposal of the appeal.

5. Civil application is disposed of.

(V. K. JADHAV, J.)

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