

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CA/5991/2016 IN FA/484/2016**

RUKHMANBAI PRATAP Singh GHUSINGE AND  
OTHERS  
VERSUS  
THE DIVISION MANAGER OF M.S.R.T.C. AURANGABAD

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Advocate for Appellants : Mr M R Deshmukh  
Advocate for Respondents : Mrs Ranjana Reddy

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**CORAM : V.K. JADHAV, J.**

**Dated: May 02, 2016**

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**PER COURT :-**

1. Heard.
2. Learned counsel for the applicant submits that, before the Tribunal the applicants-original claimants have produced on record the police papers, such as copy of FIR, spot panchnama, inquest panchnama and form comp "A". Learned counsel submits that, after due investigation in the matter, the concerned police station has submitted charge sheet against the driver of the bus involved in the accident. Certified copy of the charge sheet is thus placed on record and the same may be accepted as an additional evidence.

3. Learned counsel for respondent MSRTC strongly opposed this application with the submission that this document was not produced before the Tribunal and for the first time the same is now produced before this Court. Learned counsel submits that, the application filed for additional evidence may be rejected.

4. It appears that on the basis of FIR lodged in the concerned police station, crime No.82/2005 against the driver of the ST Bus was registered. After due investigation, police submitted charge sheet in the said crime against Harischandra Gavande the driver of the ST Bus involved in the accident.

5. In view of this, there is no hurdle as such to accept this additional evidence even in the appeal.

6. Application is accordingly allowed and the same is accepted in evidence in terms of prayer clause 'C' of the application.

7. Civil Application disposed of.

**( V.K. JADHAV, J. )**

aaa/-

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