

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

957 CIVIL APPLICATION NO. 9086 OF 2017
IN FA/116/2017

BALIRAM NAGORAO TOTEWAD AND ORS
VERSUS
CHHOTUSINGH SANDUSINGH RAJPUT AND ANR

...
Advocate for Applicants : Mr. Bhale V.S.
Advocate for Respondents : Mrs. Ranjana Reddy
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CORAM : V. K. JADHAV, J.
DATED : 7th JULY, 2017

PER COURT:-

1. Learned counsel for the respondent M.S.R.T.C. has strongly resisted the application on the ground that deceased was not permanent employee and she was earning Rs.3000/- p.m. as a salary, however, the Tribunal has considered her income on completion of three years probation period and awarded exorbitant amount of compensation by applying incorrect multiplier in consonance with the age of deceased instead of average age of the appellants. Learned counsel further submits that claimant No.1 father of deceased is in service and as such, none of the family members were depending upon the income of deceased/unmarried daughter.

2. In view of above submissions, applicant Nos. 1 and 2 are permitted to withdraw Rs.5,00,000/- (Rupees five lacs only) on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court. Civil application is disposed of.

(V. K. JADHAV, J.)