

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

LETTER PATENT APPEAL NO. 4 OF 2015

**RAMESH TRIMBAK MARATHE
VERSUS
DIVISIONAL CONTROLLER M S R T C DHULE & ANR**

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Advocate for Appellant : Shri Parag Shahane and Shri Pradeep Shahane.
Advocate for Respondents : Shri Rakesh Jain h/f Shri D.S.Bagul.

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**CORAM: S.C. DHARMADHIKARI
AND
MANGESH S. PATIL, JJ.**

DATE :- 27th June, 2017

PC.:

1 After having heard both sides, we do not find that the learned Single Judge was in error in dismissing the petition. The punishment consistent with the misconduct has been awarded. In our opinion, the Appellant/ driver has been let off with a light punishment. He was accused of driving a vehicle and that too a public transport vehicle so rashly and negligently that because of his act a five year old child succumbed to injuries and lost her life. Such road accidents and caused by this negligent driver would have visited him with severe punishment. Bearing in mind, that sufficient time has lapsed from the date of incident that we do not think that we should interfere in our writ jurisdiction or in

further appellate jurisdiction and entertain the appeal. The Letters Patent Appeal is dismissed.

kps

(MANGESH S. PATIL, J.)

(S.C. DHARMADHIKARI, J.)