

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 CIVIL APPLICATION NO. 15275 OF 2016
IN FA/4277/2016

KIRAN DHARMARAJ CHAVAN AND ORS
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPORATION, JALGAON

...
Advocate for Applicants : Patil Shrikant S.
Advocate for Respondents : M.k. Goyanka For R/sole

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CORAM : V.K. JADHAV, J.
DATE : 17-02-2017.

P.C. :

1. Heard both the sides. The learned counsel for the respondent-M.S.R.T.C. submits that, deceased Manjusha came below rear conductor side of wheels of the S.T. Bus and even then the tribunal has fasten the entire liability on the respondent-M.S.R.T.C. without considering the negligence on the part of the deceased Manjusha, who was riding the two wheeler scooty at the time of accident.

2. Considering the challenge made to the judgment and award passed by the tribunal and the amount deposited before this court in response to the award passed by the tribunal. The applicants original-claimants are permitted to withdraw an amount of Rupees Thirty Lakhs on furnishing undertaking to the satisfaction of the Registrar (Judicial). Civil application is accordingly disposed of.

(V.K. JADHAV)
JUDGE