

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

**930 CIVIL APPLICATION NO.12175 OF 2014
IN FAST/21490/2014**

CHAITANYA DNAYANESHWAR KHILLARE AND OTHERS
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPORATION THR ITS
GENERAL MANAGER, MUMBAI AND ORS

...
Advocate for Applicants : Shri Sudhir K. Chavan
Advocate for Respondent Nos.1 & 2 : Shri A.B.Dhongade h/f.
Shri A.D.Wange
Advocate for Respondent No.4 : Shri D. P. Deshpande
Advocate for Respondent No.5 : Adv.S.V.Salunke
...

CORAM : P.R.BORA, J.

DATE: 15th February, 2019

PER COURT:-

1 Heard learned Counsel appearing for the parties.

2 It is brought to my notice that the applicants - appellants have preferred the present appeal for modification of the impugned Judgment and award only to the extent of awarding the compensation alongwith interest from the date of filing of claim petition at Yeotmal i.e. 29.12.1992, whereas the Tribunal has awarded the compensation alongwith interest from the date of receiving the claim petition in the Court at Parbhani i.e. 03.10.2000.

3 The reasons as are stated in the application cannot be outrightly rejected. Therefore, I am inclined to allow the present application. Hence, the following order is passed:-

ORDER

- I) Application is allowed.
- II) The delay caused in filing the application is condoned.
- III) Appeal be registered in accordance with law.
- IV) Civil Application No.12175 of 2014 stands disposed of.
- V) On registration of appeal, issue notice to the respondents, returnable on 01.03.2019.
- VI) Shri A.B.Dhongade h/f. Shri A.D.Wange, learned Counsel waives service of notice for respondent Nos.1 and 2. Shri D.P.Deshpande, learned Counsel waives service of notice for respondent No.4.

(P.R.BORA)
JUDGE

SPT