

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

**CIVIL APPLICATION NO. 3979 OF 2020
IN
FIRST APPEAL NO.1910 OF 2019**

Sarika W/o Deepakkumar Bhutada and others ... Applicants

Versus

Divisional Controller

Maharashtra State Road Transport Corporation ... Respondent

....

Mr. P N. Kalani, Advocate for the applicants

Mr. A. D. Wange, Advocate for the respondent

....

CORAM : R. G. AVACHAT, J.

DATED : 09th JULY, 2021

PER COURT :-

. Heard. Perused the impugned award.

2. Learned Advocate for the M.S.R.T.C. states that the claimants could not prove the income of the deceased. The deceased was agriculturist. The tribunal has granted compensation considering his income to be Rs.18,000/- per month. This is on very higher side.

3. The claimants are five in number. Two of them are minor.

4. In the facts and circumstances of the case, the applicants are permitted to withdraw 50% of the amount deposited in this Court. Hence, following order:-

ORDER

- (i) The civil application is partly allowed.
- (ii) The applicants are permitted to withdraw 50% of the deposited amount, on furnishing an undertaking to the satisfaction of the Registrar (Judicial) of this Court.
- (iii) The amount be paid in proportion as has been made in Clause 5 of the operative order of the award.
- (iv) The amount payable to the minors, be kept in fixed deposit until they attain the age of majority.
- (v) Balance 50% amount be invested in fixed deposit in any nationalised bank till disposal of the appeal.

[R. G. AVACHAT, J.]

SMS