

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

**CIVIL APPLICATION NO. 5835 OF 2021
IN
FIRST APPEAL STAMP NO. 33583 OF 2019**

Asha Madhav Kokre and others	... Applicants
Versus	
M. S. R. T. C.	
Through its Controller, Workshop, Nanded	... Respondent

**CIVIL APPLICATION NO. 6581 OF 2021
IN
FIRST APPEAL STAMP NO. 33599 OF 2019**

Laxmibai Suresh Paikrao and another	... Applicants
Versus	
M. S. R. T. C.	
Through its Controller, Workshop, Nanded	... Respondent

**CIVIL APPLICATION NO. 6580 OF 2021
IN
FIRST APPEAL STAMP NO. 33579 OF 2019**

Dhrupadabai Madhav Gaikwad and others	... Applicants
Versus	
M. S. R. T. C.	
Through its Controller, Workshop, Nanded	... Respondent

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Mr. Santosh C. Bhosle, Advocate for the applicants
Mr. M. K. Goyanka, Advocate for the respondent

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CORAM : R. G. AVACHAT, J.

DATED : 23rd JULY, 2021

PER COURT :-

. Heard.

2. These are the death claims. The deceased were present to the road side and oncoming S.T. bus knocked them down. Whereas, according to the bus driver, the motorcycle rider, carrying two pillion riders, came from opposite side and dashed against the bus and therefore, it is a case of contributory negligence of the motorcycle rider.

3. After having considered the evidence, the learned Member of the Tribunal, has saddled the appellant with the liability to pay the compensation.

4. In the fitness of things, it would, therefore, be desirable to permit the applicants to withdraw 50% of the amount deposited in this Court on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The amount payable to the minor claimants be kept in fixed deposit in their names in any nationalised bank until they attain the age of majority. The balance amount be fixed in any nationalised bank, pending the appeal.

5. The civil applications stand disposed of accordingly.

[R. G. AVACHAT, J.]