

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.426 OF 2019
IN
FIRST APPEAL [STAMP] NO.13125 OF 2018**

Priyanka Nandkumar Jadhav] Applicant

IN THE MATTER BETWEEN:

**Maharashtra State Road]
Transport Corporation] Appellant**

Vs.

Priyanka Nandkumar Jadhav] Respondent

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Mr. Jayant S. Bardeskar a/w Mr. Satyajeet Shirke for Applicant.

Ms. P.M. Bhansali i/b G.S. Hegde, for Respondent.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 4th MARCH, 2021.

P.C.

1. This is an application for withdrawal of the amount of compensation deposited by the respondent in M.A.C.T, Kolhpaur.
2. Heard learned Counsel for the applicant.

3. It is submitted that the applicant was solely dependent on the income of her father. Due to accidental injuries of the applicant, the applicant's family is facing financial crisis. The applicant needs money to meet education expenses and also needs money for incurring hospital charges.
4. For all these reasons, the applicant prays for withdrawal of the amount of compensation.
5. Ms. Bhansali, learned Counsel for the respondent objects for withdrawal of the amount of compensation.
6. Considering the grounds stated in the application, the applicant is permitted to withdraw 60% of the amount of compensation with accrued interest.
7. The applicant shall furnish an undertaking that at the time of withdrawing the amount if the respondent succeeds in the appeal, she will refund the amount with interest at such rate as would be directed by this Court depending upon the outcome of the first appeal. If applicant does not file an undertaking at the time of withdrawing the amount of compensation, amount deposited by the respondent shall be invested by the M.A.C.T in the fixed deposit of a Nationalized Bank for a period of one year and thereafter for one more year again after obtaining order from this Court.

8. If 60% amount is withdrawn by the applicant, balance amount shall be invested by the M.A.C.T in a fixed deposit as stated above, in a Nationalized Bank.

9. The application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]