

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.19326 OF 2022
IN
FIRST APPEAL NO.1198 OF 2022**

Phulabai Shivaji Ghule and Ors.

...Applicants

In the matter between
Maharashtra State Road Transport
Corporation Limited through Manager,
Satara Depot.

Versus

Phulabai Shivaji Ghule and Ors.

...Respondents

...

Mr. Manjeet Lotankar i/b. Mr. Dhananjay Rananaware for the
Applicants.

Mr. Haridas R. Madhukar for the Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th OCTOBER, 2022.

P. C. :-

1. The Applicants, who are the original Claimants have sought withdrawal of the compensation deposited by the Appellant-Corporation.

2. Having considered the reasons stated in the application and the grounds raised in the appeal memo, the Applicant No.1, who is the widow of the deceased is permitted to withdraw 25% of the compensation with proportionate interest accrued thereon. Applicant

Nos.2 and 3 are minors, hence I am not inclined to allow withdrawal of compensation on their behalf. Suffice it to say that the withdrawal of the compensation is subject to filing of an undertaking that the amount will be refunded with interest in the event the Appellant succeeds in the appeal.

3. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)