

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION NO. 229 OF 2022 IN
FIRST APPEAL NO. 420 OF 2021

Maharashtra State Road Transport Corporation through its Divisional Controller,
 Division Gadchiroli

...Versus...

Smt. Anusaya Wd/o Lahanu Thalal and others

WITH

CIVIL APPLICATION NO. 228 OF 2022 IN
FIRST APPEAL NO. 421 OF 2021

Maharashtra State Road Transport Corporation through its Divisional Controller,
 Division Gadchiroli

...Versus...

Smt. Pratidnya Wd/o Pradeep Thalal and others

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders or directions
 and Registrar's orders

Court's or Judge's orders

 Shri S.R. Renu, Advocate h/f Shri S.R. Charpe, Advocate for appellant in both appeals
 Shri P.P. Pendke, Advocate for respondent Nos. 1 and 2 in F.A. No. 420/2021 and for
 respondent Nos. 1 to 3 in F.A. No. 421/2021

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 17/02/2022

CIVIL APPLICATION NO. 229 OF 2022

By this application, the respondent Nos.1 and 2/
 original claimants have sought withdrawal of the
 compensation deposited by the appellant as per the
 judgment and award of the Tribunal.

2. Having considered the grounds stated in the
 application as well as having considered the grounds
 raised in the appeal memo, the respondent Nos. 1 and 2
 are permitted to withdraw 50% of the compensation with

proportionate interests accrued thereon.

3. The application stands disposed of.

FIRST APPEAL NO. 420 OF 2021

At the request of learned Counsel for the appellant, stand over after two weeks.

CIVIL APPLICATION (CAF) NO. 228 OF 2022

By this application the respondent Nos. 1 to 3 have sought withdrawal of compensation deposited by the appellant in terms of judgment and award of the Tribunal.

2. By the impugned judgment the claimants Tribunal has awarded total compensation of Rs. 15,93,000/- with interest at the rate of 9% per annum. Respondent No.2 is a minor, hence, I am not inclined to allow any withdrawal on behalf of the claimant No.2. Claimant Nos 1 and 3 being a widow and the mother of the deceased are permitted to withdraw compensation to the extent of 30% with proportionate interest accrued thereon. The balance amount be invested in F.D.R. in any nationalize bank.

3. Application stands disposed of.

FIRST APPEAL NO. 421 OF 2021

At the request of learned Counsel for the appellant, stand over after two weeks.

JUDGE