

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

**CIVIL APPLICATION NO.7136 OF 2023
IN
FIRST APPEAL NO. 516 OF 2002**

PINKEY NARAYAN NARWADE @ PINKEY S.
KALE @ JYOTI SHIVAJI KALE AND ORS ... Applicants

VERSUS

MAHARASHTRA STATE ROAD
TRANSPORT CORPORATION PARBHANIDIVISION
THR ITS DIVISIONAL COLLECTOR AND ANR ... Respondents

..
Advocate for Applicants:Mr. Umesh G. Mitkari h/f Mr. Umesh N. Shete

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 06.07.2023

PER COURT :

1. The applicant was a original claimant in Motor Accident Claim Petition No.73/1996 that was filed before the Motor Accident Claims Tribunal, Parbhani [for short ‘the Tribunal’]. She was minor and aged about 6 years. The claim was instituted through her mother, namely, Smt. Mangalabai w/o Shivaji Kale. The claim petition was allowed by the Tribunal. The award passed by the Tribunal was subjected to appeal before this Court by respondent – MSRTC in First Appeal No.516/2022. This Court vide order dated 23/02/2017 dismissed the appeal and the claimants were permitted to withdraw the amount.

2. The contention of the applicant is that during pendency of the appeal, she married and after marriage, her name is Pinkey w/o Narayan Narwade. A copy of Aadhar Card and School Leaving Certificate are placed on record. The applicant has also tendered an affidavit of her mother in support of her contention.

3. Having regard to the material on record, there is no impediment in permitting the applicant to withdraw the amount. Hence, the application is allowed in terms of prayer clauses – ‘A’ and ‘B’ and the same is disposed of accordingly.

(S. G. CHAPALGAONKAR, J.)

Sameer