

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 CIVIL APPLICATION NO.8686 OF 2023
IN FA/2226/2022

DATTATRYA BHIKA PATIL AND ANR
VERSUS
MAHARASHTRA STATE ROAD TRANSPORTATION CORPORATION

...
Advocate for Applicants : Mr. Chapalgaonkar Shailesh S.
Advocate for Respondent : Mr. M. K. Goyanka
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 10/08/2023

PER COURT :

The appeal is filed by the MSRTC against the compensation, awarded towards the deceased son of the applicant, by the Motor Accident Claim Tribunal. The compensation awarded is Rs.5,78,312/- plus Rs.25,000/-. The amount is deposited in this Court. The present application is filed by the claimants. The case of the MSRTC is relating to the contributory negligence, and even if the MSRTC succeeds, the claim amount would not be reduced to less than 50 % of the compensation granted.

2. In view of the same, the applicant is permitted to withdraw Rs.3,00,000/- along with accrued interest on usual terms and

conditions that may be imposed.

3. After submission of usual undertaking by the applicant, the Registry is directed to release amount of Rs.3,00,000/- to the applicant along with accrued interest .

4. In view of the above, civil application is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.