

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

18 CIVIL APPLICATION NO.11651 OF 2023
IN FA/3061/2023 WITH CA/3812/2023 IN FA/3061/2023

NARAYAN JIJABA FATANGARE DIED THR LRS SAVITA NARAYAN FATANGARE
AND ORS
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPORATION AND ANR

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Advocate for Applicants : Mr. S.D. Jaybhar h/f. Mr. D.R. Jayabhar
Advocate for Respondent 2 : Mr. A.M. Pawar h/f. Mr. B.S. Deshmukh
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CORAM : ARUN R. PEDNEKER, J.
DATED : 03/10/2023

PER COURT :

1. Civil Application No. 11651/2023 is filed by the wife, children and parents of the deceased for withdrawal of amount deposited by the M.S.R.T.C., Ahmednagar in this Court.
2. Appeal is filed by the M.S.R.T.C. against the judgment and order passed by the Motor Accidents Claims Tribunal, granting compensation to the claimants on the ground of contributory negligence.
3. While granting stay, this Court has directed the M.S.R.T.C. to deposit entire amount of compensation along with the interest and in pursuance thereto the amount of Rs.20,11,918/- has been deposited in this Court.
4. Considering the claim of the applicants, the applicants are permitted to withdraw 50% of the amount deposited in this Court along with the interest accrued thereon on usual undertaking to the satisfaction of the Presiding Officer of the Tribunal. 50% of the amount with interest deposited in this Court be transmitted to the Tribunal for disbursement. Undertaking to be filed only by the major applicants.
5. **Admit.**
6. Ad-interim stay granted earlier is confirmed. Stay application is disposed of.
7. Call R. & P.

[ARUN R. PEDNEKER J.]

ssc/