

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

**CIVIL APPLICATION NO.2559 OF 2023 IN
FIRST APPEAL ST. NO. 32515 OF 2018**

Smt. Alka Bhanudas Gaigoye
and another

Applicants

Versus

Maharashtra State Road Transport
Corporation & another

Respondents

Mr. V. B. Anjanwatikar, advocate for the Applicants
Mr. A. M. Reddy, advocate i/by Mr. B. S. Deshmukh, advocate for
Respondent No.1.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 01st March, 2023.

PC :

Heard rival submissions.

The applicants are seeking withdrawal of entire amount of compensation, falling to their respective shares, which has been deposited by the appellant-MSRTC.

The learned Counsel for the appellant-MSRTC strongly opposed the application on the ground that since there was head on collusion, the deceased contributed in the occurrence of accident to the extent of 50%.

In view of the same, the applicants herein are permitted to withdraw 50% of the compensation amount falling to

their respective shares, as apportioned by the learned Tribunal along with proportionate interest accrued thereon, by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis, till final disposal of this appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO.4155 OF 2019 IN
FIRST APPEAL ST. NO. 32515 OF 2018**

Maharashtra State Road Transport
Corporation

Applicant

Versus

Smt. Alka Bhanudas Gaigoye
and others

Respondents

Mr. A. M. Reddy, advocate holding for Mr. B. S. Deshmukh,
advocate for the applicant.

Mr. V. B. Anjanwatikar, advocate for the Respondents.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 01st March, 2023.

PC :

The applicant-MSRTC is seeking condonation of delay
of only 51 days.

Considering the short period of delay, it stands
condoned.

Appeal be placed for admission after removal of office
objections, if any.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb

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

**CIVIL APPLICATION NO.4156 OF 2019 IN
FIRST APPEAL ST. NO. 32515 OF 2018**

Maharashtra State Road Transport
Corporation

Applicant

Versus

Smt. Alka Bhanudas Gaigoye
and others

Respondents

Mr. A. M. Reddy, advocate holding for Mr. B. S. Deshmukh,
advocate for the applicant.

Mr. V. B. Anjanwatikar, advocate for the Respondents.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 01st March, 2023.

PC :

Since the appellant-MSRTC has deposited entire amount of compensation along with interest, the application is made absolute in terms of prayer clause {B} and disposed of.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb