

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1274 OF 2023
IN
FIRST APPEAL NO.217 OF 2023**

Anup Jayesh Pawar	...Applicant
Versus	
Regional Controller, Maharashtra State Road Transport Corporation	...Respondent

Mr. Sanjay Ghaisas for the Applicant in IA No.1274/2023 and Respondent in FA No.217/2023.
Mr. Aniket Nangare i/by Mr. Dhananjay Ranaware for the Appellant.

CORAM : RAJESH S. PATIL, J.

DATED : 26 OCTOBER, 2023

P.C.:

1. This Application is filed for withdrawal of the amount deposited by the MSRTC, Raigad.

2. It is a case of the Applicant who suffered with serious injuries due to accident, that there were grievous injuries to his foot and jaw due to which he was admitted to MGM Hospital, Kamothe wherein he had undergone surgeries and screw was fitted in his leg and plate in his jaw. The Poynad Police Station registered a crime under Section 279, 337 and 338 of Indian Penal

Code and under Section 184 of Motor Vehicle Act against driver of S.T. Bus.

3. The Applicant state that due to the injuries and surgeries the Applicant claims that he was working with MS Developers as Supervisor and due to the accident he has suffered 49% disablement which has restricted is traveling and it is difficult for him to climb steps and to do daily work. It is further stated that the Applicant has spent heavily on medicines and on his treatment. The Applicant further states that it is difficult for him to maintain himself and his family. The Applicant therefore, prays to allow him to withdraw the entire deposited amount by MSRTC.

4. I have heard both the sides and I have gone through the contents of the Interim Application.

5. 50% of the 'Award' amount awarded to the Applicant is allowed to be withdrawn along with accrued interest, upon furnishing an undertaking before the concerned MACT to the effect that if they fail in this First Appeal, they will return the amount with interest, at such rate as may be directed by this Court at the time of disposal of the First Appeal.

6. The Registry to see that the money is transferred to the account of the Applicant.
7. Balance amount shall be invested in the fixed deposit of a nationalized bank initially, for a period of one year and thereafter for like period depending the pendency of this Court.
8. All the parties to act on an authenticated copy of this order. Issuance of certified copy of this Order is expedited.
9. The Interim Application is accordingly disposed of.

(RAJESH S. PATIL, J.)