

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

INTERIM APPLICATION NO. 4084 OF 2023

IN

FIRST APPEAL (ST) NO. 16932 OF 2022

1. Kum Aditi, D/o. Annaso Mande & Ors.	Appellant
Versus	
Maharashtra State Road Transport Corporation, Divisional Office, Solapur.	Respondent

Mr. Ravindra Pachundkar for the Applicants.
Mr. Amit Ashok Gharte for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th APRIL 2023.

P.C. :

1. Learned counsel for the Applicants submit that deceased was the sole earning member of Applicants' family. Applicants have no source of income, they need the amount for education fees of Applicant Nos. 1 and 2 and for medical expenses Applicant Nos. 3 and 4. Hence, requested to allow the Application.
2. Learned counsel for the respondent strongly objected to

allow the Application, on the ground that the tribunal has considered monthly income of deceased on higher side and exorbitant and excessive compensation is awarded. Hence, requested to dismiss the Application.

3. I have heard both learned counsel, the deceased was sole earning member of Applicants' family. Applicants have no source of income, they need the amount for paying education fees and have medical expenses. The issue raised by the learned counsel for the respondent can be considered at the time of final hearing of appeal and I pass following order.

ORDER

- i. Application is allowed.
- ii. Applicants are permitted to withdraw 50% amount out of deposited amount along with accrued interest thereon, on furnishing undertaking.
- iii. Application is disposed of.

(SHIVKUMAR DIGE, J.)