

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

FIRST APPEAL NO. 210 OF 2022

Maharashtra State Road Transport CorporationAppellant

V/S

Jyoti Arun PatilRespondent

WITH

INTERIM APPLICATION NO. 1905 OF 2022

IN

FIRST APPEAL NO. 210 OF 2022

Jyoti Arun PatilApplicant

V/S

Maharashtra State Road Transport CorporationRespondent.

Mr. Aniket Nangare i/b Mr. N. V. Bhutekar for Appellant.

Ms. Neesha Mailagir for Applicant/Respondent in IA.

CORAM: ABHAY AHUJA J.

DATE : 23 JUNE 2023

PC. :

Interim Application No. 1905 of 2022

1. This is an application by widow of deceased Arun Patil, who died in an accident on 3rd February, 2012. Ms. Mailagir, learned Counsel for the Applicant submits that the applicant is unemployed and fully dependent on her brother for her upkeep and daily expenses. She submits that the applicant was fully dependent on her husband who was stated to be employed with Larson & Toubro Ltd. at the time of the accident. Learned

Counsel submits that the applicant has lost the only source of her support and is in dire need of money for her bread and butter as well as for the medical expenses. That the applicant is more than 50 years old and has no other source of income.

2. Mr. Nangare, learned Counsel for the appellant submits that some withdrawal may be permitted, subject to certain terms and conditions.

3. Having heard the learned Counsel for the parties and having perused the application, this Court is of the view that interests of justice would be served if 50% amount deposited in M.A.C.T, Kalyan is allowed to be withdrawn in the proportion set out in the Clause (4) of the impugned decision dated 4th December, 2020, subject to undertaking that in the event the decision in the appeal goes against her, she would bring back the said amount alongwith interest within a period of four weeks from the date of the decision.

4. Interim application stands disposed of in the above terms.

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5. Let the compilation of documents be filed by the next date.
6. List on 28th July, 2023.

(ABHAY AHUJA, J.)