

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

**CIVIL APPLICATION NO. 279 OF 2020
IN
FIRST APPEAL NO. 1365 OF 2014**

Smt. Vaishali Padmakar Bagul & Ors.	Applicants
Versus	
The Managing Director, Pune Municipal Parivahan Mahamandal Ltd.	Respondent

Mr. Makarand Bakore for the Applicants.
Ms. Swati Sharma i/b Anjali Purav for the Respondent.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 25th APRIL 2023.

P.C. :

1. Learned counsel for the applicants submit that applicant no. 2 is pursuing the M.B.A. He needs the amount for paying the course fees. This court has permitted the applicants to withdraw the amount. Earlier, applicant no.1 is looking after applicant nos. 2 and 3. Deceased was the sole earning member of applicants' family, applicants have no source of income, they need the amount for daily expenses and paying the education fees of applicant no. 2. Hence,

requested to allow the Application.

3. Learned counsel for the respondent no.1 submits that there is inter se dispute between the Applicants and Respondent Nos. 4 and 5 regarding the apportionment of compensation. The Respondent No. 1 has challenged the impugned order on various grounds. Hence, requested to dismiss the Application.

4. I have heard both learned counsel. Deceased was the sole earning member of Applicants' family. Applicants have no source of income, they need the amount for daily expenses and paying education fees of Applicant No. 2. On last date, last chance was given to Respondent Nos. 4 and 5 to argue the matter. Today also none present for the Respondent Nos. 4 and 5. Hence, I pass following order.

ORDER

- i. Application is allowed.
- ii. Applicants are permitted to withdraw Rs.5,00,000/- along with accrued interest thereon, out of deposited amount on furnishing undertaking.
- iii. Application disposed of.

(SHIVKUMAR DIGE, J.)