

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

INTERIM APPLICATION NO.17081 OF 2023

IN

FIRST APPEAL (ST) NO.11348 OF 2023

Anita Sandip Chavan And Ors.

...Applicants

Versus

Maharashtra State Road Transport Corporation,

Thr. Its Divisional Controller, Pune

...Respondent

Ms. Gargi Warunjikar i/by Mr. Nilesh Bhutekar for the
Applicant/Appellant.

Mr. T.J. Mendon for Respondent and Applicant in IA.

CORAM : RAJESH S. PATIL, J.

DATED : 6 NOVEMBER, 2023

P.C.:

1. This Interim Application is filed for withdrawal of the amount deposited by the MSRTC before the concerned MACT.
2. It is a case of the Applicants that the Applicant No.1 is the widow of the deceased. The Applicant Nos.2 and 4 are the children of the deceased. Applicant Nos.5 and 6 are the parents of the deceased. It is a case of the Applicants that deceased was the breadwinner of the family and due to sudden death of the deceased the family in shock and there is no income in the family. The family dependent on the friends and relatives for their livelihood.

3. I have heard both the sides and I have gone through the contents of the Interim Application, the case for partial withdrawal has been made out.

4. 50% of the 'Award' amount awarded to the Applicant Nos. 1, 5 and 6 are allowed to be withdrawn along with accrued interest as per the ratio mentioned in the impugned Judgment and Award, upon furnishing an undertaking before the concerned MACT to the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.

5. The Registry to see that the money is transferred to the account of the Applicant.

6. 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.

7. All the parties to act on an authenticated copy of this order.

8. The Interim Application is accordingly disposed of.

(RAJESH S. PATIL, J.)