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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 5825 OF 2024
IN FAST/3854/2024**

PUSHPABAI JITU THAKRE AND OTHERS

.....Applicants

VERSUS

MSRTC, DHULE THROUGH ITS DIVISIONAL CONTROLLER

.....Respondents

Mr. C. B. Choudhari, Advocate for the applicants

Mr. D. S. Bagul, Advocate for respondent

CORAM : KISHORE C. SANT, J.

DATE : 26th JUNE, 2024

P. C.

1. Heard.

2. The application is opposed by the learned advocate for the appellant MSRTC.

3. Since the application is by the claimants who are dependent on the deceased, it would not be appropriate to deprive them from the compensation. Therefore, this court is inclined to allow the application.

4. Since applicant Nos. 2 and 3 are minors, the

application is allowed in respect of applicant Nos. 1, 4 and 5. They shall be allowed to withdraw 50% of the amount of their share alongwith accrued interest by giving undertaking that in case, the appeal is allowed, they shall re-deposit the amount with interest within twelve weeks from such judgment. Further 25% of the amount deposited is permitted to be withdrawn by furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court. Remaining 25% of the amount of applicant Nos.1,4 and 5 so also the amount to the extent of applicant Nos. 2 and 3 be kept in fixed deposit in any nationalized bank to be renewed periodically pending the appeal.

5. Applicant Nos. 2 and 3 are at liberty to apply for withdrawal of the amount when they become major pending the appeal.

[KISHORE C. SANT, J.]