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

**2 CIVIL APPLICATION NO. 8113 OF 2023
IN FA/1059/2023**

DAGUBAI PITAMBAR SONAWANE AND ORS

....Applicants

VERSUS

**THE MAHARASHTRA STATE ROAD TRANSPORT
CORPORATION THROUGH THE DIVISIONAL CONTROLLER**

.....Respondents

Mr. M. M. Bhokarikar, Advocate for the applicants

Mr. A. B. Dhongade, Advocate for respondent

CORAM : S. G. MEHARE, JJ.

DATE : 08th MARCH, 2024

P. C.

1. Heard the learned counsel for the applicants and learned counsel for the respondent.

2. The appeal has been filed on the ground that learned Tribunal did not consider the defense of the appellant and incorrectly held the respondent responsible. Learned counsel for respondent further submits that in the circumstances, entire amount may not be paid to the applicants.

3. Learned counsel for the applicants submits that claimants were the wife and children of the deceased. They were dependent upon the income of the deceased. After his death, they lost the source of income.

4. The sons were major at that time. The oldest son was 32 years and youngest son was 21 years. Both sons were pursuing education and one was employed.

5. In such circumstances, multiplier and multiplication is to be calculated baring in mind the dependency. Hence, the following order:-

ORDER

i] The application is partly allowed.

ii] Applicants are allowed to withdraw 60% of the amount deposited with this court with accrued interest on the undertaking that applicants would

(3)

2ca8113.23

deposit the amount in the court, if the judgment and award is reversed.

iii] Amount be apportioned equally to the applicants.

[S. G. MEHARE, J.]

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