



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

CIVIL APPLICATION NO. 9475 OF 2023 IN FA/3831/2022

(1) KALYAN S/O ASARAM TOUR (2) SAVITA W/O. KALYAN TOUR
VERSUS
DIVISIONAL CONTROLLER, MAHARASHTRA STATE ROAD
TRANSPORT CORPORATION AND ANOTHER

...
Advocate for Applicants : Mr. Saurabh Avhad h/f. Mr. P. B. Vikhe Patil
Advocate for Respondent No.1 : Mr. A. B. Dhongade (Absent)
...

CORAM : S. G. MEHARE, J.
DATE : 25-01-2024

PER COURT :-

1. Heard the learned counsel for the applicants. None present for the respondent No.1/appellant.
2. The appellant deposited the entire compensation amount with this Court. The claimants are the parents of the deceased, who had succumbed injuries in the vehicular accident. The question is, whether applicant No.1 (father of deceased) is entitled to claim compensation for the death of his son. Therefore, the application deserves to be partly allowed. Hence, the order;
 - i) The application is partly allowed.
 - ii) Applicant No.2 Savita w/o. Kalyan Tour (mother of deceased) is permitted to withdraw 50% of the amount deposited with proportionate interest accrued on undertaking that she would deposit the amount, if the impugned judgment and award is reversed.

(S. G. MEHARE, J.)

rrd