



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO. 1966 OF 2024
IN FAST/29891/2019

Sardar Jitendrasingh Avtarsingh

....Applicant

VERSUS

Maharashtra State Road Transport Co.,
Through Divisional Controller, MSRTC,
Nanded

.....Respondent

.....
Ms. Karishma Sarin h/f Mr. S.S. Bora, Advocate for Applicant
Mr. Manoj Shinde h/f. Mr. M.K. Goyanka, Advocate for the
respondent

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 14th DECEMBER, 2024

ORDER :

1. Heard.

2. This application is filed for withdrawal of amount deposited by the respondent towards injury claim filed by the applicant.

3. Learned advocate for the respondent has strenuously opposed the application stating that in connected claim petitions, the Tribunal has exonerated MSRTC on account of negligence of the applicant.

Bhagyawant Punde

4. Fact remains that those claim petitions were filed under Section 166 of Motor Vehicles Act, whereas applicant's claim petition is under Section 163(A) of Motor Vehicles Act. The accident has taken place on 23.08.2001 and the Tribunal has passed award on 12.04.2019. The claimant has not received any compensation till date.

5. In that view of the matter, application is allowed in terms of prayer clause 'B', on applicant furnishing usual undertaking to the satisfaction of Registrar (Judicial).

[NITIN B. SURYAWANSHI, J.]