



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15444 OF 2023
IN
FIRST APPEAL STAMP NO. 420 OF 2023

Syed Ashapak Syed Mohammad .. Applicant
Versus
The Maharashtra State Road Transport
Corporation Through The Divisional
Controller. ... Respondent

....
Advocate for the Applicant : Mr. P.S. Agrawal

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CORAM : S. G. MEHARE, J.
DATE : 02.01.2024

PER COURT :

1. Heard the respective counsels.
2. It was an injury claim. In pursuance of the order of this Court the respondent has deposited Rs. 3,14,062/- before this Court. The applicant prays to release the said amount.
3. The learned counsel for the respondent would submit that though the amount of Rs. 3,14,062/- is deposited as per the impugned order, the applicant is entitled to the compensation of Rs. 2,59,947/- only with interest. There was no sufficient evidence to believe the

applicant. He did not suffer the permanent disability. Hence, it would not be appropriate to release the amount as prayed.

4. Perused the impugned award. *Prima facie* findings are in favour of the applicant. Considering the submissions of the respective learned counsels the following order is passed

ORDER

- (I) The application is allowed.
- (II) The applicant is allowed to withdraw Rs. 2,50,000/- (Two Lakh Fifty Thousand) out of the amount deposited by the respondent, with an undertaking to re-deposit the amount if the award is reversed, within four weeks from the date of any subsequent judgment.

(S. G. MEHARE)
JUDGE

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