



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

CIVIL APPLICATION NO. 14218 OF 2023 IN FA/4493/2023

THE DIVISIONAL CONTROLLER MAHARASHTRA STATE ROAD
TRANSPORT CORPORATION

VERSUS

SOW. SARLABAI SURESH PAYGHAN AND OTHERS

...

Advocate for Applicant : Mr. Manoj D. Shinde

Advocate for Respondents No.1 and 2 : Mr. S. S. Sarda holding for
Mr. Mohit R. Deshmukh

...

CORAM : S. G. MEHARE, J.

DATE : 26-04-2024

PER COURT :-

1. Heard the learned counsels for the parties.
2. The appeal has been preferred on the ground that the deceased himself was negligent and caused the accident. He was unemployed. Therefore, incorrect notional income has been applied. The deceased was dependent on the applicants. The statutory compliance to deposit the money has been complied with. The appellant has a good case on merit. The application deserves to be allowed. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) The order granting interim stay dated 30.11.2023 stands confirmed, till conclusion of the appeal.

**(S. G. MEHARE)
JUDGE**