

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

**INTERIM APPLICATION NO. 1037 OF 2024
IN
FIRST APPEAL (ST) NO. 25776 OF 2023**

Shri. Santosh Vasantrao SurveApplicant
Versus

Maharashtra State Road Transport
Corporation, Through its Divisional
Controller, KolhapurRespondents

Mr. Sangramsingh Yadav a/w Mr. Abhijit Adgule, Advocate for the
Applicant.
Ms. Gargi Warunjikar i/b Mr. N. V. Bhutekar, Advocate for the
Respondent No.1.

CORAM : SHIVKUMAR DIGE, J.

DATE : 1st MARCH, 2024.

P.C. :

1. Heard learned counsel for the Applicant and learned counsel for the Respondent.
2. It is contention of learned counsel for the Applicant that Applicant has suffered 80% functional permanent disability due to accidental injuries, the right leg of the Applicant is amputated due to accidental injuries. Applicant has no source of income, he needs the amount for daily expenses. Hence, requested to allow the appeal.

3. It is contention of learned counsel for the Respondent that income of the Applicant is considered on higher side without any evidence on record, the disability is considered on higher side. Hence, requested to reject the application.

4. I have heard both learned counsel. Due to accidental injuries the Applicant has suffered 80% permanent physical disability and his right leg is amputated. Applicant has no source of income, he needs the amount for daily expenses. The issue raised by the learned counsel for the Respondent can be considered at the time of final hearing of the appeal hence, I pass following order;

ORDER

- i. Application is allowed.
 - ii. The applicant is permitted to withdraw the 50% amount out of deposited amount along with accrued interest thereon, on furnishing undertaking.
- Application stands disposed of.

(SHIVKUMAR DIGE, J.)