

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.6727 OF 2024
IN
FIRST APPEAL (ST) NO.30613 OF 2023

Chanda Santosh Bhonkar & Ors. Applicants

V/s.

Maharashtra State Road Transport Respondent
Corporation

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Mr.Sagar Tambe a/w Mr.Nishant Mokal, for the Applicants.
Mr.Aniket Nangare i/b Mr.N.V. Bhutekar, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st MARCH 2024

P.C:-

. Heard learned counsel for the Applicants.

2. The learned counsel for the Applicants submit that the deceased was only earning member of Applicant's family. The Applicants needs the amount for their daily expenses. They have no source of income. Hence, requested to allow the Application.

3. The learned counsel for the Respondent-Corporation has objected to allow the Application on the ground that at the time of the accident the deceased was under the influenced of the

liquor, but this fact is not considered by the Tribunal. Hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The deceased was only earning member of the family, the Applicants needs the amount for their daily expenses. They have no source of income. The issue raised by the Respondent can be considered at the time of the final hearing. Hence, I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicants are permitted to withdraw 25% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)