

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

**INTERIM APPLICATION NO. 7226 OF 2024
IN
FIRST APPEAL (ST) NO. 9196 OF 2023**

Siddharam Kupindra SangolgiApplicant

In the matter between
Maharashtra State Road Transport
Corporation

....Appellant

Versus

Siddharam Kupindra Sangolgi & Anr.Respondents

Mr. Yogesh Patil, Advocate for the Applicant and Respondent No.1.
Mr. Aniket Nangar i/b Mr. N. V. Bhutekar, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th APRIL, 2024.

P.C. :

1. By this Application, Applicant is praying for withdrawal of the amount.

2. It is contention of learned counsel for the Applicant that due to accidental injuries, the Applicant has suffered 40% permanent physical disability. Applicant needs the amount for his daily expenses.

Applicant has no source of income. Hence, requested to allow the

Application.

3. Learned counsel for the Appellant/Corporation strongly objected to allow the Application, on the ground that, the accident occurred due to sole negligence of the Claimant. The income of the Claimant is considered on higher side by the Tribunal. Hence, requested to reject the Application.

4. I have heard both learned counsel. Applicant has suffered 40% permanent physical disability due to accidental injuries. He needs the amount for his daily expenses. The issue raised by the learned counsel for the Appellant/Corporation can be considered at the time of final hearing of the Appeal.

5. In view of above, I pass following order.

ORDER

- i. Application is allowed.
 - ii. Applicant is permitted to withdraw 40% amount along with accrued interest thereon, out of deposited amount on furnishing undertaking.
- . The Interim Application stands disposed off.

(SHIVKUMAR DIGE, J.)