



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

**962 CIVIL APPLICATION NO. 7931 OF 2025
IN FAST/4853/2025**

**VARSHA GAJANAN TAWADE AND ORS
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPORATION**

**WITH CIVIL APPLICATION NO. 1849 OF 2025
IN FAST/4853/2025 WITH
CIVIL APPLICATION NO. 1850 OF 2025
IN FAST/4853/2025**

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Advocate for Applicants : Ms. Gayatri S. Kalve h/f Mr. Ghatge
Mahesh Vilas
Advocate for Respondent : Mr. Narayan Chavan h/f
Dnyaneshwar Suresh Bagul.
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**CORAM : SHAILESH P. BRAHME, J.
DATE : 13.08.2025**

PER COURT :-

1. Heard both sides.
2. Applicants are seeking disbursement of Rs.16,03,751/- deposited by respondent/Corporation. They are dependents and they are in need of money.
3. Application is contested by the respondent on the ground that the quantum of compensation is unreasonable and without there being any corroborative material. The insurer of the motorcycle has not been impleaded in the claim. Its a case

of contributory negligence and for non-joinder of necessary parties. It should have been dismissed as against the respondent.

4. I have considered rival submissions of the parties. The factum of accident and death of Gajanan cannot be disputed. There are five dependents on the deceased, albeit married sister is excluded. The objections of the respondent/insurance company can be looked into at the time of final hearing. Ends of the justice would be made by permitting the applicants to receive 75% of the amount with accrued interest deposited by the respondent/Corporation.

5. Civil application is partly allowed by permitting the applicants to withdraw 50% of the amount deposited by respondent/Corporation on furnishing undertaking and further 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this Court.

6. Balance amount shall be invested in Nationalized Bank.

7. Civil application is disposed of accordingly.

In First Appeal

8. **Admit.**

9. Learned counsel Ms. Gayatri h/f Mr. Ghatge waives service of notice for respondents/claimants.

10. Call for Record and Proceedings from the concerned Court if not called.

In Civil Application (Stay)

11. As the entire amount is deposited, ad-interim relief granted earlier shall stand confirm. Civil application for stay is disposed of.

In Civil Application (Delay)

12. For the reasons stated in the application, delay stands condoned.

13. Civil application for delay is allowed.

(SHAILESH P. BRAHME, J.)

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vmk/-