



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

47 CIVIL APPLICATION NO. 2166 OF 2025
IN FA/413/2025

Parwti Babu Irale And Ors

....Applicant

VERSUS

Maharashtra State Road Transport Corporation Chhatrapati Sambhaji
Nagar And Anr

.....Respondent

.....

Advocate for Applicant : Mr. YOGESH K BOBADE

Advocate for respondent No.1: Mr. AKASH G. MALIPATIL H/F.
DNYANESHWAR SURESH BAGUL

Advocate for respondent No.2 :ADV. SHAIKH KAYYUM NAIR AND F.
R. SHAIKH

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 28TH FEBRUARY, 2025.

P.C. :-

1. Heard learned advocates for the parties.
2. Applicants/original claimants in MACP No. 173 of 2020 are seeking permission to withdraw the amount deposited by respondent – Corporation in pursuance to award dated 8.4.2024 passed by Motor Accident Claims Tribunal , Aurangabad.
3. Respondent Corporation contested the claim n the ground of false implication of MSRTC bus. The Tribunal, after considering evidence on record, accepted case of claimants and found that accident occurred due to involvement of ST Bus. Further, taking notional income of deceased, compensation has been granted.
4. Respondent Corporation carries forward its defence in this

appeal. Considering reasoning as adopted by Tribunal, it would be appropriate to permit the claimants to partially withdraw compensation amount. Hence, following order :-

O R D E R

[A] The application is partly allowed;

[B] Applicants are permitted to withdraw 50% of compensation amount as deposited by respondent Corporation alongwith interest accrued thereon, on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court that they shall re-deposit the amount in case adverse order is passed in appeal.

[C] Rest of the amount be kept in a Fixed Deposit in any nationalized bank, having renewal clause, till disposal of appeal.

[D] Application stands disposed of.

[S.G. CHAPALGAONKAR, J]

grt/-