



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

**39 CIVIL APPLICATION NO. 4880 OF 2025
IN FAST/5298/2025**

SARLABAI ASHOK JADHAV AND ANR

VERSUS

THE MAHARASHTRA STATE AND ANR

....

Mr. G. J. Pahilwan, Advocate for the applicants

Mr. D. S. Bagul, Advocate for respondent No.1

Mr. V. S. Badakh, AGP for Respondents-State

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 02.05.2025

PER COURT :-

. Heard learned Advocates appearing for respective parties.

2. The applicants are the original claimants in MACP No. 103 of 2020. They filed a claim seeking compensation for the accidental death of Ashok Eknath Jadhav. It is the contention of the claimants that while he was riding a motorcycle, MSRTC bus gave a dash to the said motorcycle. MSRTC, however, took the defence that the deceased fell on the road after losing control of the motorcycle, and that there was no accident involving the bus and the motorcycle. Tribunal upon evaluation of evidence, accepted the case of claimants and passed award for Rs.9,50,000/- along with interest at the rate of 9%.

3. Considering submissions advanced and reasons as adopted by the Tribunal, prima facie claimants have proved that deceased lost his life in an accident involving MSRTC bus.

4. In that view of the matter, claimants are permitted to withdraw 50% of the compensation amount deposited by the respondent on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court that they shall re-deposit the amount, in case, adverse order is passed in appeal. Rest of the amount be kept in fixed deposit till further orders.

[S. G. CHAPALGAONKAR, J.]

HRJadhav