



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

**CIVIL APPLICATION NO. 5873 OF 2025
IN
FIRST APPEAL STAMP NO. 4435 OF 2025**

Vaishali Sharad Borse and others .. Applicants

Versus

Divisional Controller MSRTC Dhule
and another .. Respondents

Shri Amol S. Mali, Advocate for the Applicants.
Shri Narayan Chavan, Advocate h/f Shri Dnyaneshwar S. Bagul,
Advocate for the Respondent No. 1.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 12TH JUNE, 2025.**

FINAL ORDER :

. Heard both sides.

2. Learned counsel for the applicants submits that only bread earner in the family has passed away. Applicants are in desperate need of the amount for their survival. Learned counsel for the respondent No. 1 would oppose the submissions.

3. It is a death claim. The respondent No. 01 has deposited Rs. 38,09,807/- in this Court. The only bread earner in the family of the applicants has died and need of the applicants cannot be discarded. It is desirable to permit the applicants to

receive the part of the amount deposited.

4. In view of the above, the civil application is allowed partly. The applicants are entitled to receive 60% of the amount deposited on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/June 25