



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

62 CIVIL APPLICATION NO. 9542 OF 2025
IN FAST/19905/2025

VILAS SHANKAR JHINE

VERSUS

THE MAHARASHTRA STATE ROAD TRANSPORT AND ANR

...

Mr. R. V. Gore, Advocate for Applicant

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

...

CORAM : AJIT B. KADETHANKAR, J.

DATE : 15th SEPTEMBER 2025

PER COURT :-

1. This Civil Application seeking withdrawal of amount deposited by the respondent/MSRTC in the First Appeal arising out of judgment and order dated 06.01.2025, passed by the learned Member, Motor Accident Claims Tribunal, Jalna in M.A.C.P No.89 of 2017.
2. By the impugned judgment and order dated 06.01.2025, learned Tribunal partly allowed the claim petition, thereby granting compensation of Rs.10,84,266/-, together with interest, recoverable from the respondent/MSRTC.
3. Mr. Gore, learned counsel for the applicant submits that the applicant is in dire need of money to maintain his livelihood. Owing to the permanent disability he sustained in the accident, he has suffered losses and requires money. He therefore prays to allow the application.
4. Per contra, the learned counsel for the respondent/MSRTC

submits that the appeal consists of good grounds on merit. He argues that the compensation awarded by the learned Tribunal is excessive and contrary to the evidence on record. Accordingly, he opposes the application.

5. Upon having heard the parties, I am of the view that today, the award stands in favour of the applicant. The learned Trial Court has scrutinized the evidence on record and applied its judicious mind to fix the compensation. It is not disputed that the accident has occurred, nor it is disputed that the applicant suffered some disability out of accident. There is no dispute as to the entitlement of the applicant to any compensation. The only dispute seems to be a quantum of compensation.

6. In view of this, I pass the following order :-

ORDER

- a. Civil Application is partly allowed.
- b. Applicant is permitted to withdraw 70% of the deposited amount in this Court by the respondent/MSRTC on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- c. Civil Application stands disposed of.

7. Stand over to 01.10.2025.

[AJIT B. KADETHANKAR, J.]