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924-CA-11521-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 CIVIL APPLICATION NO. 11521 OF 2025
IN FAST/19061/2025

Gayatri Sachin Bhingare and Ors.

VERSUS

Gujrat State Road Transport Corporation Bharuj Division Ankaleshwar
Depot

WITH

CIVIL APPLICATION NO. 7590 OF 2025
IN FAST/19061/2025

WITH

CIVIL APPLICATION NO. 7591 OF 2025
IN FAST/19061/2025

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Mr. Amol Subhash Gandhi, Advocate for Applicant.

Mr. Mukesh K. Goyanka, Advocate for Respondent No.1.

CORAM : KISHORE C. SANT, J.

DATE : 15th OCTOBER 2025.

PC :-

1. Heard the learned Advocates for the parties.
2. This application is filed for withdrawal of the amount deposited by the appellant in the office of this Court.
3. The trial Court in the judgment and order has already apportioned

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the share of the claimants. The wife i.e. present applicant No.1 is held to entitle to receive 40% share and applicant No.2 and 3 i.e. sons each are given 20% and present respondent Nos. 2 and 3 i.e. parents of the deceased are given 10% each.

4. Considering that the sons still are minors. Since the parents are entitled only to 10% of the amount, this Court is passing following order:

ORDER

- (i) Application stands allowed.
- (ii) The applicant No.1 and respondent Nos. 2 and 3 in this application are permitted to withdraw the amount of their share on furnishing usual undertaking. Thus, the total amount of 60% is to be withdrawn.
- (iii) So far as shares of applicant No.2 and 3 is concerned, the amount of their share be kept in fixed deposit in any nationalized bank. The interest accrued on such fixed deposit be credited every quarter to the account of applicant No.1.

5. With this, civil application stands disposed off.

CONDONATION OF DELAY

6. This application is filed for condonation of delay of 31 days caused in filing the first appeal.

7. For the reasons stated in the application, delay stands condoned. Application is allowed. Office to register first appeal.

8. With this, civil application stands disposed off.

STAY APPLICATION

9. Since the appellant has already deposited the entire amount as per impugned judgment and award in the office of this Court, there shall be stay to the impugned judgment and award till final disposal of the first appeal.

FIRST APPEAL

10. Heard.

11. Admit.

12. Call for record and proceedings.

13. Learned Advocate Mr. Gandhi waives service of notice for respondents–claimants.

[KISHORE C. SANT, J.]