

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1624 OF 2024
IN
FIRST APPEAL NO. 1494 OF 2024**

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Sharada Atul Gite And Ors.	...Applicants
In the matter between	
The Divisional Manager, Maharashtra State Road Transport Corporation, Satara	...Appellant Respondent
Versus	
Sharada Atul Gite And Ors.	...Respondent Applicants.

.....

Mr. Santosh D. Bhosale for the Applicants.

Mr. Prathamesh Mandlik for the Appellant-Respondent.

.....

CORAM	:	SHIVKUMAR DIGE, J.
DATE	:	4 th DECEMBER, 2025

P.C.

1. By this application, the applicants are seeking withdrawal of the compensation amount deposited by the original-appellant.
2. Learned counsel for the applicants submit that the deceased was the sole earning member of their family. The -original-appellant has deposited the amount before MACT Satara. The applicants needs the compensation amount for their daily expenses, hence, requested to allow the application.

3. Learned counsel for the original-appellant strongly objected to allow the application on the ground that the accident was occurred due to sole negligence of the deceased. This fact is not considered by the Tribunal. The appeal is pending. Hence, requested to reject the application.

4. I have heard all the learned counsel. Perused the judgment and order passed by the Tribunal.

5. The deceased was the sole earning member of the applicants family. Applicants needs the compensation amount for their daily expenses. The objection raised by the learned counsel for the original-appellant is considered at the time of hearing of the appeal. In view of the above, I pass following order.

ORDER

- I. Application is allowed.
 - II. The applicants are permitted to withdraw 50% amount out of the total compensation amount deposited by the original-appellant along with accrued interest there on by filing usual undertaking.
6. The interim application is disposed of.

(SHIVKUMAR DIGE, J.)