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

**INTERIM APPLICATION NO.7773 OF 2025
WITH
CROSS OBJECTION STAMP NO.13699 OF 2025
IN
FIRST APPEAL STAMP NO.3127 OF 2025**

Shalan Sadashiv Kulal & Ors.

...Applicants

In the matter between

The Divisional Manager
Maharashtra State Road
Transport Corporation

...Appellant

vs.

Shalan Sadashiv Kulal & Ors.

...Respondents

Mr. D. D. Rananaware, Through VC for the Appellant.

Mr. Avesh A. Ghadge for Respondent Nos.1 to 7.

CORAM : SHYAM C. CHANDAK, J.

DATE : 29th APRIL 2025

P. C. :

- . Issue notice to the Respondents, returnable on **14th July 2025**.
- 2) Present Application filed by the original claimants seeking withdrawal of entire decretal amount along with accrued interest.
- 3) Mr.Rananaware, learned Advocate for the Appellant opposed the Application on the ground that bus owned by the Appellant was not negligent and responsible to cause the accident.
- 4) Be as it may, the FIR was registered against Respondent No.8, who was driver of the said bus. The Tribunal held that Respondent No.8

caused the accident in question. The claim was filed in the year 2020 and since then the claimants are waiting for the compensation. But Applicant Nos.2 to 4 are minors.

5) In view thereof and considering the reasons stated in the Application, the Application is partly allowed. Applicant Nos.1 and 5 to 7 are permitted to withdraw 40% of the compensation amount of their share with proportionate interest subject to furnishing an undertaking that, in case the Appellant succeeds in this Appeal, Applicant Nos.1 and 5 to 7 would refund the said amount along with interest as would be directed by this Court. The Tribunal concerned shall invest the remaining amount with Nationalized bank giving highest interest from time to time.

6) Learned Advocate for the Applicants acknowledges receipt of copy of the Cross Objection filed by the claimants-Respondent Nos.1 to 7.

7) Application stands disposed of.

(SHYAM C. CHANDAK, J.)