

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

**INTERIM APPLICATION NO. 11517 OF 2024
WITH
INTERIM APPLICATION NO. 11518 OF 2024
IN
FIRST APPEAL (ST) NO. 18143 OF 2024
WITH
FIRST APPEAL (ST) NO. 18143 OF 2024**

Traffic Controller
Maharashtra State Road Transport
Corporation Limited, Sangli ...Applicant
V/s.
Suresh Ramchandra Pawar And Anr. ...Respondents

**WITH
INTERIM APPLICATION NO. 1439 OF 2025
IN
FIRST APPEAL (ST) NO. 18143 OF 2024**

Suresh Ramchandra Pawar ...Applicant

IN THE MATTER BETWEEN

Traffic Controller
Maharashtra State Road Transport
Corporation Limited, Sangli ...Appellant
V/s.
Suresh Ramchandra Pawar And Anr. ...Respondents

Mr. Abhijeet Phulsunder i/by Mr. D. D. Rananaware, for the Applicant/
Appellant.

Ms. Priynaka Babar i/by Adv. T. S. Ingale, for the Applicant/Respondent
No.1 in IA/1439/2025 and Respondents in IA/115017/2024 and
IA/11518/2024.

CORAM : SHYAM C. CHANDAK, J.

DATED : 28th MARCH, 2025

P.C. :-

INTERIM APPLICATION NO. 11517 OF 2024

. Heard.

- 2) Present Application seeking condonation of delay of 1 year and 47 days in filing the aforesaid Appeal.
- 3) The learned Advocate for the Respondent No.1 has no objection to condone the delay.
- 4) Despite service of notice, Respondent No.2 has not filed an appearance.
- 5) Although there is delay of 1 year and 47 days, the Applicant has not taken any advantage on account of the said delay. The Applicant has deposited the entire compensation amount alongwith accrued interest with the Tribunal.
- 6) In view thereof and for the reasons stated in the Application, the Application is allowed. The delay of 1 year and 47 days in filing the aforesaid Appeal is condoned.
- 7) Appeal be registered.
- 8) Interim Application stands disposed of.

INTERIM APPLICATION NO. 1439 OF 2025

. Present Application filed by Respondent No.1/Original Claimant seeking permission to withdraw 70% of the compensation amount alongwith accrued interest.

- 2) The Application is opposed by Mr. Phulsunder, the learned Advocate for the Appellant-MSRTC.
- 3) Mr. Phulsunder, learned Advocate for the Appellant-MSRTC submitted that, the Applicant has suffered 70% permanent partial

disability which has affected his earning capacity to a great extent. The Applicant's wife is doing labour to maintain the family.

4) In view thereof and considering the grounds stated in the Application, the Applicant is permitted to withdraw 50% of the compensation amount along with accrued interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant would refund the said amount alongwith interest as would be directed by this Court. The Tribunal shall invest the remaining amount with nationalized bank giving highest interest from time to time.

5) Interim Application stands disposed of.

INTERIM APPLICATION NO. 11518 OF 2024

. Heard.

2) The entire compensation amount alongwith accrued interest has been deposited in the Tribunal. Hence, there shall be ad-interim stay in terms of prayer clause (b) till the next date i.e. **16th June, 2025**.

FIRST APPEAL (ST) NO. 18143 OF 2024

. Issue notice to the Respondent No.2, returnable on **16th June, 2025**.

(SHYAM C. CHANDAK, J.)