

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10761 OF 2025
IN
FIRST APPEAL NO.60 OF 2025

Anita Sachin Kale

.... Applicant

V/s.

Maharashtra State Road Transport
Corporation Thr. Its Controller, Sangli

.... Respondent

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Mr.Akshay Kulkarni, for the Applicant.

Mr.Prathamesh Mandlik i/b Mr.N.V. Bhutekar, for the
Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th AUGUST 2025

P.C:-

. Heard learned counsel for the Applicant.

2. The learned counsel for the Applicants submit that the deceased was sole earning member of Applicant's family. The Applicant needs the amount for their daily expenses. They have no source of income. Hence, requested to allow the Application.

3. The learned counsel for the Respondent has objected to allow the Application on the ground that the accident occurred

due to sole negligence of the deceased, but this fact is not considered by the Tribunal. Hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The deceased was only earning member of the family, the Applicant's needs the amount for their daily expenses. They have no source of income. The issue raised by the Respondent can be considered at the time of the final hearing. Hence, I pass following order.

ORDER

(i) The Application is allowed.

(ii) The Applicant is permitted to withdraw 50% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)