

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1570 OF 2025**

Msrtc Thr. Divisional Manager, Satara ...Appellant
Versus
Anita Prakash Thorat And Ors. ...Respondents

**WITH
INTERIM APPLICATION NO. 11237 OF 2025
IN
FIRST APPEAL NO. 1570 OF 2025**

Anita Prakash Thorat and orsApplicants
Vs.
MSRTC Thr. Divisional Manager, SataraRespondent

Mr. Shubham Dhoble i/b Mr. D. D. Rananaware, for Applicant.
Mr. Santosh Bhosale, Advocate for Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th DECEMBER 2025

P.C.

INTERIM APPLICATION NO. 11237 OF 2025:

1. Heard learned counsel for the applicants and learned counsel for respondent. By this application, the applicant is seeking withdrawal of the amount.

2. It is contention of learned counsel for applicants that the deceased was sole earning member of the family. The applicant has no source of income. They need income income for daily expenses and requested to allow the application.

IRESH
MASHAL

Digitally signed
by IRESH
MASHAL
Date:
2025.12.16
19:14:35
+0530

3. It is contention of learned counsel for respondent that initially, application was filed under Section 163A of Motor Vehicles Act ('the said Act'). Thereafter, it was converted under Section 166 of the said Act. The accident occurred due to sole negligence of the deceased but this fact is not considered by the Tribunal and awarded compensation on higher side and requested to reject the application.

4. I have heard both learned counsels. The deceased was sole earning member of the applicant's family. The applicants have no source of income. They need income for daily expenses. The issue raised by the respondents can be dealt at the time of final hearing of the appeal.

5. In view of above, I pass following order:

ORDER

I. The application is allowed.

II. The applicants are permitted to withdraw 25% of the deposited amount alongwith accrued interest thereon.

6. The application is disposed off accordingly.

(SHIVKUMAR DIGE, J.)