

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

CONTEMPT PETITION NO. 509 OF 2024

Milind Laxman Bhat (Since deceased through his
legal heirs) 1A. Neha Milind Bhat and Ors. ... Petitioners

Versus

Maharashtra State Road Transport Corporation & Anr. ... Respondents

Mr. Shriram Kulkarni for the Petitioners.

Mr. Nitesh Bhutekar (through VC) a/w. Mr. Prathmesh Mandlik for
Respondents

CORAM : M. M. SATHAYE, J.

DATED : 19th AUGUST 2025.

P.C.:

1. Heard learned counsel for the Petitioners, who are Claimants in motor accident claim, in which the Respondents - Maharashtra State Road Transport Corporation (MSRTC) and the driver of the vehicle/bus involved, are held jointly and severally liable to pay Rs.5,58,463/- inclusive of no fault liability alongwith interest.

2. Both, the claimants and MSRTC filed appeals in this Court challenging the award of the Tribunal and the appeal of the MSRTC is dismissed and the appeal of the Claimant was allowed thereby granting enhancement in the amount. The enhanced entitlement is of 29,34,400/- alongwith 7.5% interest per annum from the date of filing claim application till realization.

This Court directed the Respondent MSRTC to deposit enhanced amount with interest within 6 weeks. This direction is alleged to be breached.

3. It is submitted that MSRTC had challenged the enhancement order of this Court, in the Hon'ble Supreme Court, however the Special Leave Petition was dismissed, thereby confirming the order of enhancement.

4. During pendency of the present Contempt Petition, direction was given to the MSRTC to deposit the compensation amount alongwith accrued interest in this Court. Pursuant thereto, the Respondent-MSRTC has deposited an amount of Rs.60,55,981/- in this Court. It is recorded in the order dated 09/07/2025 that the Petitioners would provide calculation of alleged balance/rest of the amount.

5. Learned counsel Mr. Kulkarni for the Petitioners submits that full payable amount is not deposited, however he fairly submits that reconciliation of figures may be necessary. Learned advocate for the Respondent-MSRTC pointed out that it has filed affidavit-in-reply contending *inter alia* that two amounts deposited on 10/06/2003 and 16/05/2005, which are already paid by the Respondent-MSRTC, are not taken into consideration in the calculations of the Petitioner.

6. It is trite that contempt petition is not a mode of recovery and enhanced amount can be recovered through execution application filed in

accordance with law. In that view of the matter, considering the fact that the Respondent- MSRTC has already deposited an amount of Rs.60,55,981/-, which accordingly to MSRTC is enhanced amount with interest, further calculations for reconciliation of figures / amounts cannot be continued by this Court in Contempt Petition.

7. However learned Counsel for MSRTC Mr. Bhutekar fairly submits that in order to facilitate the petitioners, who are victims of the accident (legal heirs of the original claimant), the Respondent-MSRTC will file an additional affidavit only to submit the details of calculation under which aforesaid amount is deposited.

8. For the said purpose, stand over to 09/09/2025.

(M. M. SATHAYE, J.)