

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

**INTERIM APPLICATION NO. 11505 OF 2024
WITH
INTERIM APPLICATION NO. 11506 OF 2024
IN
FIRST APPEAL (ST) NO. 18146 OF 2024**

Traffic Controller,
Maharashtra State Road Transport Corporation, Sangli ...Appellant
V/s.
Smt. Sangeeta Bharat @ Bharat Kore And Ors. ...Respondents

**WITH
INTERIM APPLICATION NO. 1440 OF 2025
IN
FIRST APPEAL (ST) NO. 18146 OF 2024**

Smt. Sangeeta Bharat @ Bharat Kore And Ors. ...Applicants

IN THE MATTER BETWEEN

Traffic Controller,
Maharashtra State Road Transport Corporation, Sangli ...Appellant
V/s.
Smt. Sangeeta Bharat @ Bharat Kore And Ors. ...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 Nos.1 to 4 in
IA/1440/2025 and Respondents in IA/11505/2024 and IA/11506/2024.

Mr. Mahindra Deshmukh, for the Respondent Nos.5 to 7.

CORAM : SHYAM C. CHANDAK, J.

DATED : 28th MARCH, 2025

P.C. :-

INTERIM APPLICATION NO. 11505 OF 2024

. The report of notice to Respondent No.8 is awaited.

- 2) Registry to call for the said Report.
- 3) The learned Advocate Mr. Deshmukh states that, he has instructions to appear on behalf of the Respondent Nos.5 to 7 and undertakes to file Vakalatnama on their behalf, within a period of two weeks from today.
- 3) Stand over to **11th June, 2025**.

INTERIM APPLICATION NO. 11506 OF 2024

. Since entire compensation amount alongwith accrued interest has been deposited as directed in the Order dated 13th August 2024 and the Respondent Nos.1 to 4 are permitted to withdraw certain amount, this Application is allowed in terms of prayer clause (b).

- 2) Interim Application stands disposed of.

INTERIM APPLICATION NO. 1440 OF 2025

. Heard.

- 2) Present Application filed by the Respondent Nos.1 to 4/Original Claimants seeking permission to withdraw 50% of their share in the compensation amount.
- 3) Mr. Phulsunder, the learned Advocate for the Appellant-MSRTC opposed the Application. However, he submitted that, there is no statutory defence in this case.
- 4) The prayer for withdrawal of compensation amount is based on the ground that, the deceased was only earning member in the family.

The Applicant No.4 is 67 years old and suffering from various ailments. The Applicants have been waiting for compensation since the accident occurred in the year, 2017.

- 5) In view thereof and considering the other grounds stated in the Application, the Applicants are permitted to withdraw 50% of their share in the compensation amount alongwith proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicants would refund the said amount alongwith interest as would be directed by this Court. The Tribunal shall invest remaining amount with Nationalized bank giving highest interest from time to time.
- 6) Application is disposed of, accordingly.

(SHYAM C. CHANDAK, J.)