

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

**INTERIM APPLICATION NO. 15648 OF 2024**

**IN**

**FIRST APPEAL NO. 1935 OF 2024**

Bajirao Raghunath Devkar & Ors.

....Applicants

**V/s.**

Maharashtra State Transport Corporation

Thr. Divisional Controller Pune

....Respondent

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Mr. D. D. Shinde, for Applicants Nos.1 to 3.

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

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**CORAM : SHIVKUMAR DIGE, J.**

**Date : 23 JUNE, 2025.**

**PC. :**

- 1) Heard the learned counsel for the Applicant.
- 2) By this Application, Applicants is seeking withdrawal of the amount.
- 3) The learned counsel for the Applicants submits that, the deceased was sole earning member of the Applicant's family. The Applicants need the amount for their daily expenses. They have no source of income. Hence, requested to allow the Application.
- 4) The learned counsel for the Respondent – Corporation strongly objected to allow the Application on the ground that

deceased died due to dash given by other vehicle after giving dash the offending vehicle ran over him, but this fact has not been considered the Tribunal. Hence, requested to reject the Application.

5) I have heard both learned counsel.

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

**ORDER**

(i) The Application is allowed.

(ii) The Applicants are permitted to withdraw 40% amount along with accrued interest thereon on furnishing undertaking.

7) The Application is disposed of.

**[SHIVKUMAR DIGE, J.]**