

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

INTERIM APPLICATION NO. 16106 OF 2024

WITH

FIRST APPEAL (ST) NO. 30000 OF 2022

Jayashri Ashok Patil & Anr.

....Applicants

Versus

Maharashtra State Road Transport
Corporation, Through its The Divisional
Controller, Raigad

....Respondent

Mr. Nitesh V. Bhutekar , Advocate for the Applicants.

Mr. Sanjay Ghaisas, Advocate for the Respondent Nos. 1 &2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th JUNE, 2025.

P.C. :

1. Heard learned counsel for the Applicants.
2. By this Application, the Applicants are seeking withdrawal of the amount.
3. Learned counsel for the Applicant submits that, the deceased was sole earning member of the Applicant's family. The Applicants need the amount for their daily expenses and education of daughter. Applicants have no source of income. Hence, requested to

allow the Application.

4. It is contention of learned counsel for the Respondent-Corporation that, the accident occurred due to negligence of the deceased. The compensation amount is awarded on a higher side. Hence, requested to reject the Application.

5. I have heard both learned counsel.

6. The deceased was only earning member of the family. The Applicants' need the amount for daughter's education and daily expenses. The issue raised by the Respondent can be considered at the time of final hearing. Hence, I pass following order

ORDER

(i) The Application is allowed.

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

(SHIVKUMAR DIGE, J.)