

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

**INTERIM APPLICATION NO. 1290 OF 2025
WITH
INTERIM APPLICATION NO. 1291 OF 2025
IN
FIRST APPEAL (ST) NO. 2955 OF 2025
WITH
FIRST APPEAL (ST) NO. 2955 OF 2025**

Maharashtra State Road Transport Corporation , Pune ...Applicant
V/s.

Smt. Leela Laxman Kusekar And Ors. ...Respondent

**WITH
INTERIM APPLICATION NO. 4127 OF 2025
IN
FIRST APPEAL (ST) NO. 2955 OF 2025**

Smt. Leela Laxman Kusekar And Ors. ...Applicants

IN THE MATTER BETWEEN

Maharashtra State Road Transport Corporation , Pune ...Appellant
V/s.

Smt. Leela Laxman Kusekar And Ors. ...Respondents

Mr. Abhijeet Phulsunder i/by Mr. D. D. Rananaware, for the Applicant/
Appellant.

Mr. Yogesh Pande, for the Respondent Nos.1 to 3 and Applicants in
IA/4127 of 2025.

CORAM : SHYAM C. CHANDAK, J.

DATED : 28th MARCH, 2025

P.C. :-

INTERIM APPLICATION NO. 1290 OF 2025

. Heard.

2) Present Application seeking condonation of delay of 94 days in
filing the aforesaid Appeal.

- 3) Mr. Pande, the learned Advocate for the Respondent Nos.1 to 3 has no objection to condone the delay.
- 4) The Respondent No.6 is the driver of Applicant. Hence, as submitted by the learned Advocate for the Applicant, service to Respondent No.6 is dispensed with.
- 5) Considering the grounds stated in the Application, the delay of 94 days in filing the aforesaid Appeal is condoned.
- 6) Appeal be registered forthwith.
- 7) Interim Application stands disposed of.

INTERIM APPLICATION NO. 1291 OF 2025

. Mr. Phulsunder, the learned Advocate for the Applicant states that, entire compensation amount alongwith accrued interest has been deposited in the Tribunal concerned.

- 2) In view thereof, the Application is allowed in terms of prayer clause (a).
- 3) Interim Application stands disposed of.

INTERIM APPLICATION NO. 4127 OF 2025

. Heard.

- 2) Present Application filed by Respondent Nos.1 to 3/Original Claimants seeking permission to withdraw part compensation amount alongwith accrued interest.
- 3) The Application is opposed by Mr. Phulsunder, the learned Advocate for the Appellant-MSRTC.

4) The prayer for withdrawal of compensation amount is based on the ground that, the deceased was sole earning member in the family. It is stated that, the Applicants are facing financial difficulties.

5) In view thereof and considering the other grounds stated in the Application, the Applicant Nos.1 to 3 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 Applicant Nos.1 to 3 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) Interim Application stands disposed of.

FIRST APPEAL (ST) NO. 2955 OF 2025

. Learned Advocates for the parties submitted that, the Appeal may be taken up for final hearing and undertake to file Compilation of Documents on the next date.

2) List the Appeal on **17th June 2025**, under the caption “for final hearing”.

(SHYAM C. CHANDAK, J.)