

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

**INTERIM APPLICATION NO.14663 OF 2024
WITH
INTERIM APPLICATION NO.14664 OF 2024
IN
FIRST APPEAL STAMP NO.28403 OF 2024**

Maharashtra State Road
Transport Corporation ...Applicant/Appellant
vs.
Ms.Akansha Abheejit Helekar
Through her next friend & Mother ...Respondent

**WITH
INTERIM APPLICATION NO.6493 OF 2025
IN
FIRST APPEAL STAMP NO.28403 OF 2024**

Akansha Abheejit Helekar
Through her next friend & Mother ...Applicant
vs.
Maharashtra State Road
Transport Corporation ...Appellant
vs.
Akansha Abheejit Helekar
Through her next friend & Mother ...Respondent

Mr. Abhijeet B. Phulsundar i/b Mr. D. D. Rananaware for the Applicant/
Appellant in IA Nos.14663/2024, 14664/2024 and Appellant in FAST
No.28403/2024.

Mr. Bharat Gadhavi with Aniket Shitole for the Respondent in IANos.
14663/2024, 14664/2024 and Respondent in FAST No.28403/2024 and
Applicant/Respondent in IA No.6493/2025.

CORAM : SHYAM C. CHANDAK, J.

DATED : 27th MARCH 2025

P. C. :

INTERIM APPLICATION NO.14663 OF 2024

. Present Application seeks condonation of 118 days delay in filing the aforesaid Appeal.

2) Heard learned Advocates for the parties. Perused the Application.

3) Considering the grounds stated in the Application, the delay of 118 days is condoned. Appeal be registered.

4) Application is disposed of accordingly.

INTERIM APPLICATION NO.14664 OF 2024

. Heard.

2) Learned Advocate for the Applicant stated that the Applicant has deposited entire compensation amount along with accrued interest, in the Tribunal.

3) In view thereof, the interim stay granted *vide* order dated 4th December 2024, shall be operative till the disposal of the Appeal.

4) Application stands disposed of.

INTERIM APPLICATION NO.6493 OF 2025

. Present Application filed by the Applicant-claimant, through her next friend and mother seeking permission to withdraw of the compensation amount along with accrued interest.

2) Heard learned Advocates for the parties.

- 3) Learned Advocate for the Appellant opposed the Application.
- 4) Application for withdrawal is based on the ground that the Applicant, through her next friend and mother, needs compensation amount to meet her education expenses. The Applicant has suffered 10% to 30% of permanent partial disability as held by the Tribunal. The Applicant lost her father in the accident.
- 5) In view thereof, the Applicant, through her next friend and mother is permitted to withdraw 50% of the compensation amount of her share with proportionate interest subject to furnishing an undertaking that in case the Appellant succeeds in this Appeal, the Applicant, through her next friend and mother would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest remaining amount with Nationalised bank giving highest interest from time to time.
- 6) Application is disposed of accordingly.

FIRST APPEAL STAMP NO.28403 OF 2024

- . Issue notice to the Respondent, returnable on **22nd April 2025**.
- 2) Mr.Gadhavi, learned Advocate waives service on behalf of the Respondent. In addition to the Court's notice the Appellant to serve the Respondent by private notice and file the affidavit of service on or before the returnable date. ***Hamdast*** allowed.

(SHYAM C. CHANDAK, J.)