

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.14486 OF 2024
WITH
INTERIM APPLICATION NO.14487 OF 2024
IN
FIRST APPEAL STAMP NO.28367 OF 2024**

Maharashtra State Road
Transport Corporation ...Applicant/Appellant
vs.
Amruta Abheejit Helekar ...Respondent

**WITH
INTERIM APPLICATION NO.6494 OF 2025
IN
FIRST APPEAL STAMP NO.28367 OF 2024
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Amruta Abheejit Helekar ...Applicant
Maharashtra State Road
Transport Corporation ...Appellant
vs.
Amruta Abheejit Helekar ...Respondent

Mr. Abhijeet B. Phulsundar i/b Mr. D. D. Rananaware for the Applicant/
Appellant in IA Nos.14486/2024, 14487/2024 and Appellant in FAST
No.28367/2024.

Mr. Bharat Gadhavi with Aniket Shitole for the Respondent in IANos.
14486/2024, 14487/2024 and Respondent in FAST No.28367/2024 and
Applicant/Respondent in IA No.6494/2025.

**CORAM : SHYAM C. CHANDAK, J.
DATED : 27th MARCH 2025**

P. C. :

INTERIM APPLICATION NO.14486 OF 2024

. Present Application seeks condonation of 100 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 100 days is condoned. Appeal be registered.

4) Application is disposed of accordingly.

INTERIM APPLICATION NO.14487 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.6494 OF 2025

. Present Application filed by the Applicant-claimant seeking permission to withdraw the compensation amount along with accrued interest.

- 2) Heard learned Advocates for the parties.
- 3) Learned Advocate for the Appellant opposed the Application.
- 4) The Applicant-claimant is wife of the deceased. The Applicant has suffered disability to the extent of 25% as held by the Tribunal. The Applicant needs money for maintenance of family members and other necessary expenses.
- 5) In view thereof and considering other reasons stated in the Application, the Applicant is permitted to withdraw 50% of the compensation amount along with proportionate interest subject to furnishing an undertaking that in case the Appellant succeeds in this Appeal, the Applicant 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.28367 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.)