

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

**INTERIM APPLICATION NO.11505 OF 2024
IN
FIRST APPEAL (ST) NO. 18146 OF 2024
WITH
FIRST APPEAL (ST) NO. 18146 OF 2024**

Traffic Controller, Maharashtra State Road
Transport Corporation Limited., Sangli ...Applicant/Appellant
V/s.
Smt. Sangeeta Bharat @ Bharat Kore And Ors. ...Respondents

**WITH
INTERIM APPLICATION NO.7448 OF 2025
IN
FIRST APPEAL (ST) NO. 18146 OF 2024**

Vidya Bharat Kore And Ors. ...Applicants

IN THE MATTER BETWEEN

Traffic Controller, Maharashtra State Road
Transport Corporation Limited., Sangli ...Appellant
V/s.
Smt. Sangeeta Bharat @ Bharat Kore And Ors. ...Respondents

Mr. D. D. Rananaware, for the Applicant in IA/11505/2024 and Appellant
in FA(ST)/18146/2024.
Mr. T. S. Ingale, for the Respondent Nos.1 to 4.
Mr. Mahindra Deshmukh, for the Respondent Nos.5 to 7.

CORAM : SHYAM C. CHANDAK, J.

DATED : 23rd APRIL, 2025

P.C. :-

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. Heard.

- 2) Present Application seeking condonation of 1 year and 78 days delay in filing the aforesaid Appeal.
- 3) Mr. Ingale, the learned Advocate for the Respondent Nos.1 to 4 has no objection to condone the delay.
- 4) Mr. Deshmukh, the learned Advocate for the Respondent Nos.5 to 7 opposed the Application.
- 5) Despite notice Respondent No.8 failed to file his appearance.
- 6) Mr. Rananaware, the learned Advocate for the Applicant submitted that due to administrative reasons, the Applicant could not file the Appeal in time. The Applicant has not taken any advantage on account of said delay. Entire compensation amount alongwith accrued interest has been deposited.
- 7) The Respondent Nos.1 to 4 have been permitted to withdraw 50% of the compensation amount of their share. Even though, Mr.Deshmukh, the learned Advocate opposed the Application, he has not stated any specific reason for which the Application can be refused.
- 8) In view thereof, the Application is allowed.
- 9) The delay of 1 year and 78 days in filing the Appeal is condoned. Appeal be registered forthwith.
- 10) Application stands disposed of.

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. Heard.

- 2) Present Application filed by Original Respondent Nos.5 to 7 seeking withdrawal of the compensation amount.
- 3) Mr. Rananaware, the learned Advocate for the Appellant opposed the Application.
- 4) The co-claimants have been permitted to withdraw 50% of the compensation amount of their share with proportionate interest vide Order dated 28th March, 2025 in Interim Application No. 1440 of 2025. The case of the present Applicants is identical to the case of co-claimants.
- 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) Application is disposed of, accordingly.

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- . Issue notice to Respondents, returnable on **5th August, 2025**.
- 2) Mr. Ingale, learned Advocate waives notice on behalf of the Respondent Nos.1 to 4.
- 3) Mr. Deshmukh, learned Advocate waives notice on behalf of the Respondent Nos.5 to 7.

4) The Appellant to provide copy of the Appeal to the Registry, for service of notice on the Respondent No.8. In addition to Court's notice, the Appellant to serve the Respondent No.8 with private notice and file affidavit of service on or before the returnable date. ***Hamdast*** allowed.

(SHYAM C. CHANDAK, J.)