

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 7588 OF 2025
IN
FIRST APPEAL NO. 1239 OF 2025

Smt. Sunita Dattaram Patil Applicant

V/s.

Maharashtra State Road Transport Respondent
Corporation Mumbai

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date:
2025.08.13
12:03:15 +0530

NILAM
SANTOSH
KAMBLE

Ms.Kavita Anchan i/b Mr.Vishal Dhende, for the Applicant.
Mr.D.D. Rananaware, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th AUGUST 2025

P.C:-

. Heard learned counsel for the Applicant and learned
counsel for the Respondent.

2. By this Application, the Applicant is seeking
withdrawal of the amount.

3. It is contention of the learned counsel for the
Applicants submit that due to accidental injuries the Claimant
has suffered 58% permanent physical disability. She has no

source of income. She needs amount for daily expenses and medical expenses. Hence, requested to allow the Application.

4. The learned counsel for the Respondent has objected to allow the Application on the ground that the accident occurred due to sole negligence of the rider of the motorcycle. The Tribunal has awarded compensation on higher side. Hence, requested to dismiss the Application.

5. I have heard both the learned counsel.

6. The Applicant has suffered 58% permanent physical disability. She needs amount for daily expenses and medical expenses. She has no source of income. The issue raised by the Respondent can be considered at the time of the 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.)