

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

**INTERIM APPLICATION NO. 8811 OF 2025  
IN  
FIRST APPEAL (STAMP) NO. 4477 OF 2025**

Smt. Diksha Sadanand Patil And Ors. .... Applicants

V/s.

Maharashtra State Road Transport .... Respondent  
Corporation Mumbai

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

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**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 12<sup>th</sup> AUGUST 2025**

**P.C:-**

. Heard learned counsel for the Applicants.

2. The learned counsel for the Applicants submit that the deceased was sole earning member of Applicant's family. The Applicants needs the amount for their daily expenses. They have no source of income. Hence, requested to allow the Application.

3. 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 deceased, the Tribunal has awarded

compensation on higher side. Hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The deceased was only earning member of the family, the Applicant's needs the amount for their daily expenses. They have 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 30% amount along with accrued interest thereon on furnishing undertaking.

**(SHIVKUMAR DIGE, J.)**