

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.8855 OF 2025
IN
FIRST APPEAL NO.262 OF 2025

Smt. Sitabai Vishnu Dive And Ors. Applicants

V/s.

Maharashtra State Road Transport Respondent
Corporation Thr. Divisional Officer

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Mr.Yogesh Pande i/b Mr.P.K. Bohade, for the Applicants.
Mr.Abhijit Phulsunder i/b Mr.D.D. Rananaware, for the
Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th JUNE 2025

P.C:-

. Heard learned counsel for the Applicant.

2. The learned counsel for the Applicant's submit that the deceased was sole earning member of Applicant's family. The Applicant's 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 without evidence on record and 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 40% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)