

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.8876 OF 2025
IN
FIRST APPEAL NO.261 OF 2025

Laxman Balu Dive

.... Applicant

V/s.

Maharashtra State Road Transport
Corporation Thr. Divisional Officer, Nashik

.... Respondent

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Mr.Yogesh Pande i/b Mr.P.K. Bohade, for the Applicant.
Mr.Abhijit Phulsundar 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 submit that
due to accidental injuries the Applicant has suffered 14%
permanent physical disability. He is unable to do any work. He
has no source of income. He needs amount for daily expenses.
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 Applicant, 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 Applicant has suffered 14% permanent physical disability, the Applicant needs the amount for their daily expenses. He 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 Applicant is permitted to withdraw 40% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)