

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

**INTERIM APPLICATION NO. 8995 OF 2025
IN
FIRST APPEAL (ST) NO. 2949 OF 2025**

Chandrakant Sopan Koli Applicant

IN THE MATTER BETWEEN

Maharashtra State Road Transport Corporation Appellant
Thr. The General Manager, Pune

Versus

Chandrakant Sopan Koli Respondent

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Mr. Yogesh Pandey, Advocate for the Applicant.
Mr. Sumedh S. Gaikwad i/b D. D. Rananaware, Advocate for the
Appellant - Corporation.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th AUGUST, 2025.

P.C. :

1. By this application, the Applicant is seeking withdrawal of the amount.
2. It is contention of learned counsel for the Applicant that the deceased was the sole earning member of the Applicant's family. Applicant needs the amount for his daily expenses. Hence, requested to allow the application.

3. It is contention of learned counsel for the Appellant – Insurance Company that the accident occurred due to sole negligence of the deceased and income of the deceased is considered on higher side. Hence, requested to reject the application.

4. I have heard both learned counsel.

5. The deceased was the sole earning member of Applicant's family. Applicant needs the amount for his daily expenses. The issue raised by the learned counsel for the Appellant – Corporation can be considered at the time of final hearing of the appeal, and I pass following order:

ORDER

- i. The Application is allowed.
- ii. The Applicant is permitted to withdraw 50% amount out of the deposited amount along with accrued interest thereon, on furnishing undertaking.
- . The Application stands disposed of.

(SHIVKUMAR DIGE, J.)