

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9048 OF 2025
IN
FIRST APPEAL NO.737 OF 2023

Nasir Shaha Sabir Shah Applicant

V/s.

Maharashtra State Road Transport Respondent
Corporation, Thr. The Divisional Manager

Mr.Pritesh K. Bohade, for the Applicant.

Mr.Ansari Faiyaz Ahmad i/b Mr.Amit Gharte, for the
Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th JUNE 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 Claimants
has suffered 29% functional disability. The Tribunal has
considered 15%. The learned counsel further submitted that, the

Applicant is unable to do any work. He has no source of income. He needs amount for daily 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 negligence of the Applicant. 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 29% functional disability. He needs amount for daily and medical 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 Applicants are permitted to withdraw 30% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)