

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 9166 of 2025
in
FIRST APPEAL STAMP NO. 1674 of 2025**

Shobha Gangadhar Keskar and ors. ... Applicants

In the matter of

Maharashtra State Road Transport Corporation through Appellant
its Divisional Controller
Versus

Shobha Gangadhar Keskar and ors. ... Respondents

Mr. P. K. Bohade, Advocate for the Applicants.

Mr. Manjeet Lotankar i/b. Mr. D. D. Rananaware, Advocate for the
Appellant-Corporation.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th AUGUST, 2025.

PC :

1. Heard learned counsel for the applicants and learned counsel
for appellant-Corporation.

2. By this application, the applicants are seeking withdrawal of the
amount. Learned counsel for the applicants submitted that the deceased
was the sole earning member of the applicants' family. The applicants
have no source of income, they need the amount for their daily expenses.

Hence, requested to allow the application.

3. Learned counsel for appellant - Corporation strongly objected
to allow the application on the ground that the accident occurred due to

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contributory negligence of the deceased and compensation is awarded on higher side but this fact is not considered by the Tribunal. Hence, requested to reject the application.

4. I have heard both learned counsel. The deceased was the sole earning member of the applicants' family. The applicants have no source of income, they need the amount for their daily expenses. The grounds raised by the appellant-Corporaton can be considered at the time of final hearing of the appeal. Hence, I pass the following order :

O R D E R

1. The application is allowed.
2. The applicants are permitted to withdraw 40% of the deposited amount along with the accrued interest thereon, subject to furnishing the usual undertaking.

Accordingly, the application stands disposed of.

(SHIVKUMAR DIGE, J.)