



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

31 CIVIL APPLICATION NO. 2690 OF 2026
IN FAST/36236/2025

SAGUNA SITRAM PAWAR AND ORS
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT CORPORATION LTD

...
Advocate for Applicant : Mr. Vinayak D. Patnurkar.
Advocate for Respondent : Mr. Anand D. Wange.
...

WITH
CIVIL APPLICATION NO. 14082 OF 2025
IN FAST/36236/2025

M.S.R.T.C. LTD. T/R DIVISIONAL CONTROLLER, NANDED
VERSUS
SAGUNA SITARAM PAWAR AND ORS

...
Advocate for Applicant : Mr. Anand Dnyanoba Wange.
Advocate for Respondents: Mr. V. D. Patnurkar.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 09th March, 2026.

P.C.:

1 Heard the learned counsel for the parties. Perused the applications.

Application for condonation of delay:

2 This is an application for condonation of delay of 94 days caused in filing the first appeal.

3 For the reasons stated in the application, the delay stands condoned. The application stands allowed in the interest of justice.

Appeal be registered.

Appeal:

4 Issue notice to the respondents, returnable on 5th May, 2026. Mr. Patnurkar, learned counsel waives notice on behalf of all the respondents.

5 Call for record and proceedings.

Application for withdrawal of amount:

6 This application is for withdrawal of the amount deposited by the appellant in this Court as per the impugned judgment and award.

7 The learned counsel for the appellant strongly opposed the application and submitted that the Tribunal erred while awarding compensation by determining the income as well as the notional income, which is not permissible in law. He, therefore, prayed to reject the application.

8 For the reasons stated in the application and considering the arguments of both the sides, the following order is passed :-

ORDER

- I. The Registry of this Court is directed to transmit 50% of the amount out of the amount deposited by the appellant in this Court to the Motor Accident Claims Tribunal,

Nanded, with accrued interest thereon.

- II. The applicants are permitted to withdraw the amount transmitted to the Motor Accident Claims Tribunal, Nanded, with accrued interest thereon, on furnishing usual undertaking to the satisfaction of the Motor Accident Claims Tribunal, Nanded.
- III. The Motor Accident Claims Tribunal, Nanded shall not pay the amount of minor claimants and their amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- IV. With this, the civil application for withdrawal of amount stands disposed of.

[SANJAY A. DESHMUKH, J.]

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