



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO. 3566 OF 2026
IN FA/151/2010

Devanand Madhav Babar And Ors.

VERSUS

Maharashtra State Road Transport Corporation Nandurbar.

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Mr. Deshpande Shantanu A., Advocate for Applicants

Mr. D. S. Bagul, Advocate for Respondent

CORAM : Y. G. KHOBRADE, J.

Dated : 25th March, 2026

PER COURT :-

1. Heard learned counsel for the applicants.
2. By the present application, the applicants/original claimants in MACP No 17 of 2008 are seeking permission to withdraw the entire amount of compensation deposited by the non applicant- MSRTC/ original respondent in the claim petition.
3. Needless to say that on 19.01.2009, the learned Member, MACT passed the judgment and award in MACP No. 17 of 2008 and thereby directed the original respondent No.2- MSRTC to pay compensation of Rs.3,61,000/- inclusive of Non Fetal Liability, with interest @ 9% per annum from the date of filing of the claim petition till its realization. Being aggrieved by the said order, the original respondent, MSRTC, filed First Appeal No. 151 of 2010. On 15.10.2010, the appeal was admitted and it remained pending for final disposal.

However, on 13.12.2025, the present appeal was listed before the Lok Adalat. The Panel of the Lok Adalat permitted the appellant/original respondent, MSRTC, to withdraw the first appeal, and accordingly, it was disposed of.

4. In view of the above, it would be just and proper to permit the present applicants/original claimants to withdraw the entire amount of the compensation deposited by the MSRTC original respondent before this Court, alongwith accrued interest. Applicant No.2/Original claimant No.2- Chandabai Devanand Babar died on 15.10.2020, during pendency of the appeal. Therefore, her share be equally distributed amongst applicant/original claimant No.1 Devanand Madhav Babar and original claimant no. 3 Yuvraj Devanand Babar.

5. Accordingly, Applicant Nos. 1 and 3 are permitted to withdraw the entire amount deposited before this Court with accrued interest.

6. Civil application is accordingly disposed of.

(Y. G. KHOBRAGADE, J.)