



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**906 CIVIL APPLICATION NO. 4502 OF 2026
IN FA/274/2003**

ARUNA ACHYUTRAO DESHPANDE AND ORS.

....Applicants

VERSUS

M.S.R.T.C. THROUGH DIVIN.CONTROLLER BEED.

.....Respondent

Mr. S. S. Gargad, Advocate for the Applicants

CORAM : ABHAY J. MANTRI, J.

DATE : 23rd APRIL, 2026

PER COURT :

1. Heard the learned Advocate for the Applicants/original claimants. Perused the judgment passed by the learned Tribunal as well as this Court and record along with the Application.

2. At the outset, it appears that the learned Tribunal allowed the Petition bearing MACP No.133/1991 and awarded the amount of Rs. 2,05,000/- by judgment and order dated 09-07-1999. Being dissatisfied with the same, the Applicants have preferred First Appeal No. 274/2003. This Court vide judgment and order dated 23-01-2020 partly allowed the Appeal and enhanced the amount, i.e. 5,64,200/-and also directed the Respondent to pay the said amount to the Applicants. Pursuant to the said judgment and order, the

Respondents had deposited the amount in this Court on 10-02-2021. Therefore, the Applicants, original claimants, have moved this Application for withdrawal of the amount.

3. During the pendency of the proceeding, the Applicant Nos. 2 to 4 got married, and their names have been changed accordingly. From the inquest panchanama, postmortem report and other documents, it is indicated that the name of *the deceased was Vasant @ Achutrao Deshpande*. It also appears that neither the learned Tribunal nor this court made an apportionment of the amount as to how it would be disbursed amongst the Applicants/claimants. Therefore, I deem it appropriate to apportion the said compensation amount, together with accrued interest thereon, as follows.

4. (i) Original Claimant/*The applicant No.1, Aruna*, is a widow of the deceased, *entitled to get 70%* of the compensation amount along with accrued interest thereon, and

(ii) Original Claimants/*Applicant Nos. 2 to 4* are married daughters of the deceased *entitled to get 10%* each of the compensation amount along with accrued interest thereon till the disbursement of the amount.

5. As a result, *the Application is allowed in the above terms*, subject to the deposit of the deficit court fees in the Court.

6. On deposit of the deficit court fees, the learned Registrar [J] is directed to transmit the amount as apportioned in para 4 above to the bank account of the applicants respectively within six weeks on their furnishing their bank account details to the registry.

[ABHAY J. MANTRI, J.]

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