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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 CIVIL APPLICATION NO. 4839 OF 2026
IN FA/440/2026

KARAN PANKAJ SHAH
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT
AND
909 CIVIL APPLICATION NO. 4840 OF 2026
IN FA/439/2026

KARAN PANKAJ SHAH
VERSUS
MAHARASHTRA STATE ROAD TRANSPORT

Mr.G.V.Wani, Advocate for the petitioner.
Mr.A.B.Dhongade, Advocate for respondent No.1.
Mr.N.C.Garud, Advocate for respondent No.2.

(CORAM : KISHORE C. SANT AND
SUSHIL M. GHODESWAR, JJ.)

DATE : 23 APRIL, 2026

PER COURT :

1. Heard the learned Advocates for the respective parties in both the applications.
2. These applications are filed seeking withdrawal of the amount deposited by the appellant in the Office of this Court, as per the impugned judgment and award passed by the learned M.A.C.T.

Ahmednagar.

3. The applications are opposed by the learned Advocate Mr.Dhongade for respondent No.1. He submits that if the amount is withdrawn, it would be difficult for the MSRTC to recover the same. He further submits that the ground of contributory negligence and quantum are the main grounds taken in the appeals.

4. However, looking to the fact that in both the cases, there are death claims, this Court is inclined to allow the applications. Hence following is the order :-

[a] Both the applications are partly allowed.

[b] The applicant is permitted to withdraw 50% of the amount with accrued interest on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

[c] The remaining 50% of the amount be kept in the Fixed Deposits in any Nationalized Bank, to be renewed from time to time till pendency of the appeals.

5. With this, the applications stand disposed off.

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)