IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1707 OF 2026
IN
FIRST APPEAL (STAMP) NO. 6477 OF 2026

UDAY SHIVAJI JAGTAP
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Date: 2026.10.26 14:37:39 +0530

Vanita Shrinivas Borate And Ors. … Applicants

Vs.

The Secretary, Maharashtra State Road Transport Corporation, Thr. Regional Controller, Satara … Respondent

WITH
INTERIM APPLICATION NO. 1020 OF 2026
IN
FIRST APPEAL (STAMP) NO. 6477 OF 2026

The Secretary, Maharashtra State Road Transport Corporation, Thr. Regional Controller, Satara … Applicant

Vs.

Vanita Shrinivas Borate And Ors. … Respondents

WITH
INTERIM APPLICATION NO. 1021 OF 2026
IN
FIRST APPEAL (STAMP) NO. 6477 OF 2026

The Secretary, Maharashtra State Road Transport Corporation, Thr. Regional Controller, Satara … Applicant

Vs.

Vanita Shrinivas Borate And Ors. … Respondents

.....

Mr. Vinayak Belgaonkar i/b Yuvraj Narvankar for the Applicants
Mr. Shubham Dhoble a/w Samarth Chavan i/b Dhananjay Rananaware for Respondent – MSRTC

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CORAM : SHAILESH P. BRAHME, J.

DATE : 23rd OCTOBER, 2026.

P. C. :

I.A. NO. 1707 OF 2026

. Heard.

2. The applicants seeks to withdraw amount of Rs.44,78,592/- deposited by the respondent – MSRTC. Additionally, it is submitted that applicant No.2 could not pursue his education because of untimely death of his father. The deceased was pillion rider and the respondent is responsible for the accident.

3. Learned counsel for the respondent submits that negligence is attributable to the driver of the two wheeler. No liability can be imposed on the respondent - Corporation.

4. The quantum arrived at by the Tribunal is unreasonable and exorbitant. I have considered the rival submissions of the parties. The death in the family is undisputed. The earning source of the family has been hampered, therefore, the applicants are entitled to receive the amount.

5. The rival submissions regarding negligence of the driver of the offending vehicle or driver of the two wheeler can be gone into during the hearing of the Appeal. Ends of justice would be met by permitting

the applicants to receive 50% of the amount with accrued interest.

6. The application is allowed partly permitting the applicants to receive 50% amount with accrued interest on furnishing undertaking to the satisfaction of the jurisdictional Tribunal. The balance amount shall be invested in a Nationalized bank.

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7. By this application, the applicant seeks to condone the delay of 123 days in filing the Appeal.

8. For the reasons stated in the application, the delay stands condoned.

9. Interim Application is disposed of.

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10. Admit.

11. Learned counsel Mr. Belgaonkar waives notice for respondents.

12. Call for record and proceedings.

13. Print is dispensed with.

14. Parties shall be at liberty to file compilation of documents or private paper book.

I.A. NO. 1021 OF 2026

15. As the amount is deposited pursuant to the order passed of this Court, *ad-interim* relief granted by this Court stand confirmed.

16. The application stand disposed of.

(SHAILESH P. BRAHME, J.)