IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1772 OF 2026
IN
FIRST APPEAL (ST) NO. 1096 OF 2026

Pratiksha Shekhar Waidande And Ors. ...Applicants
Versus
Maharashtra State Road Transport Corporation
Thr. Divisional Controller And Ors ...Respondents

WITH
INTERIM APPLICATION NO. 280 OF 2026
IN
FIRST APPEAL (ST) NO. 1096 OF 2026

Maharashtra State Road Transport
Corporation Thr. Divisional Controller ...Applicant
Versus
Pratiksha Shekhar Waidande And Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 281 OF 2026
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Versus
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.....

Adv. Vaibhav Kupawade i/b Ingale & Associates, for Applicant.
Adv. Aditya Ghadge h/f Adv. Sachin Pathak, for Respondent No.5.
Adv. Ashirwad Kolekar i/b Adv. Nisha Joshi, for Respondent No.7.
Adv. Dhananjay Rananaware a/w Adv. Samarth Chavan, for MSRTC

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CORAM : SHAILESH P. BRAHME, J.

DATE : 4th NOVEMBER, 2026.

P.C. :

INTERIM APPLICATION NO. 1772 OF 2026
IN
FIRST APPEAL (ST) NO. 1096 OF 2026

Heard.

2. By this application, the applicants seek to withdraw amount of Rs. 35,16,071/- deposited by respondent Corporation.

3. For the reasons stated in the application, withdrawal is solicited. No amount is disbursed to the applicant. They are in dire need of money. The quantum arrived at by the Tribunal is just and reasonable.

4. Application is contested by counsel for the respondent - Corporation. It is submitted that various vehicles are involved in the accident and no liability can be fastened on the Corporation. It is a case of contributory negligence. The evidence of the income of the deceased is vulnerable. The quantum is exorbitant and unfounded.

5. I have considered rival submissions of the parties. The death in the family, which is an outcome of the accident, is undisputed. Applicants are entitled to part of the amount. The submissions regarding contributory negligence and liability of the Corporation can

be gone into during the course of hearing. It would be appropriate to permit the applicants to receive 60% of the amount deposited with accrued interest. Hence, I pass the following order :

::ORDER::

A) Interim Application is partly allowed, permitting the applicants to receive 60% of the amount deposited with accrued interest on furnishing an undertaking to the satisfaction of the jurisdictional Tribunal.

B) The balance amount shall be invested in a nationalized bank

INTERIM APPLICATION NO. 280 OF 2026
IN
FIRST APPEAL (ST) NO. 1096 OF 2026

6. By this application, the applicant seeks to condone the delay of 69 days caused in preferring the first appeal belatedly.

7. For the reasons stated in the application, the application is allowed and the delay stands condoned. Accordingly, the application stands disposed of.

INTERIM APPLICATION NO. 281 OF 2026
IN
FIRST APPEAL (ST) NO. 1096 OF 2026

8. As the entire amount under the Award is deposited pursuant to

the order dated 17.03.2026 passed by this Court, the ad-interim relief granted earlier stands confirmed. The interim application stands disposed of accordingly.

FIRST APPEAL (ST) NO. 1096 OF 2026

9. Admit.

10. Mr. Kolekar waives notice for respondent No.7.

11. Call for record and proceedings.

12. Print is dispensed with.

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

[SHAILESH P. BRAHME, J.]