

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

**INTERIM APPLICATION NO. 11466 OF 2025
IN
FIRST APPEAL(ST) NO. 2189 OF 2025**

Smt. Sharada Namdev Chavan And Others ...Applicants
Versus

The Depot Manager, Maharashtra
State Road Transport Corporation,
Gadhinglaj, Kolhapur And Another ...Respondents

Mr. Abhijit B. Kadam a/w Mr. Ashish A. Chavan, Advocate for Applicants

Mr. Dhananjayrao D. Rananaware a/w Mr. Shubham S. Dhoble,
Advocate for Respondents

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 9th JANUARY 2026.

PER COURT :

1. This application is filed for withdrawal of compensation amount deposited by the respondents pursuant to the judgment and award passed by the Motor Accident Claims Tribunal, Gadhinglaj in Motor Accident Claim Petition No.32/2019.

2. Heard.

3. The Tribunal has awarded amount of compensation of Rs.16,81,000/- along with 9% interest per annum. Pursuant to the judgment and award respondent M.S.R.T.C. has deposited amount of Rs.23,06,221/-.

4. Learned advocate for respondent M.S.R.T.C. strenuously opposed the application contending that the first appeal is filed challenging the quantum of compensation awarded as well as negligence on the part of deceased. Therefore, according to him the applicant should be permitted to withdraw only 25% of the deposited amount.

5. Accident has taken place in the year 2019 and till today the applicants are deprived of the compensation amount. In that view of the matter, the application is allowed by permitting applicants to withdraw 50% of the amount deposited by the respondents along with proportionate interest accrued thereon, on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

(NITIN B. SURYAWANSHI, J.)