

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1524 OF 2026
IN
FIRST APPEAL (ST) NO. 533 OF 2026

Smt Kajal Ranjitekumar Yadav .. Appellant/Applicant

V/s.

Maharashtra State Road Transport .. Respondent
Corporation

Mr. Suraj Sulambe i/by Amit Gharte, for the Appellant.

Mr. Nikhil Mehta i/by KMC Legal Venture, for the Respondents.

CORAM : R.M. JOSHI, J.

DATE : 27TH FEBRUARY 2026.

PC:

1. This application is filed by the original - claimant for withdrawal of the amount of compensation deposited by the appellant in connection with Judgment and Award dated 11th December 2024 in Application No. 854 of 2021.

2. Learned counsel for the applicant submits that the present appeal has been filed only on quantum. It is his submission that the liability of payment of compensation by the owner and insurer is not in dispute.

3. Learned counsel for the appellant-MSRTC submits that the the appellant has taken exception to the Judgment and Award not only on the ground of quantum as also on the ground of contributory

negligence of the deceased in accordance of the Act.

4. Learned counsel for the appellant opposes application.
5. Since the liability of payment of compensation is not in dispute, it would be in the interest of justice that the applicant- original claimant is permitted to withdraw 50% amount with accrued interest.
6. Hence, the following order:

ORDER

- i) Applicant/Original Claimant is permitted to withdraw 50% amount out of the sum of Rs.11,90,000/-with accrued interest.
- ii) Applicant/Original Claimant is permitted to withdraw 50% of the amount from sum of Rs.8,00,000/- (Rupees Eight Lakhs Only).
- iii) In view of this, order of investment is Rs.8,00,000/- stands dissolved.
- iv) The application stands disposed of in the above terms.

(R.M. JOSHI, J)