



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION NO.3615 OF 2025
IN
FIRST APPEAL (ST.) NO.20155 OF 2025

MSRTC, Yavatmal Vs. Smt. Kamal Shivaji Kurhade and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. V.H. Kedar, Advocate for the Applicant/Appellant.
Mr. J.A.A. Malnas, Advocate for Respondent Nos.1 and 2.

CORAM: PRAFULLA S. KHUBALKAR, J.
DATED : 23rd FEBRUARY, 2026

1. Heard learned counsel for the applicant.
2. This is an application for condonation of delay of 285 days in filing the statutory appeal.
3. Learned counsel for the applicant submits that the delay of 285 days occurred in the process of obtaining necessary approvals and permissions.
4. Having regard to the contents of the application and submissions advanced, the delay seems to have occurred on account of administrative compliances, the same appears to be unintentional and needs to be condoned in the interest of justice.
5. Learned counsel for the respondent Nos.1 and 2 opposed the application.
6. In the interest of justice, the delay of 285 days in filing the appeal is condoned subject to cost of Rs.3,000/- (Rupees Three Thousand Only) to be deposited by the appellant within a period of four weeks' from today in the 'Public Welfare Account', which is directed to be opened by

an Order dated 12.01.2026, passed by the Hon'ble Division Bench of this Court in Suo Moto Public Interest Litigation (SMPIL) No.01/2021, the details of which can be obtained from the Registrar (Judicial), Nagpur Bench, Nagpur.

7. In view of above, civil application is **allowed** and **disposed of**.

CIVIL APPLICATION NO.3616 OF 2025

8. Learned counsel for the applicant submits that the entire decretal amount along with interest is already deposited in accordance with the Order dated 28.11.2025.

9. In view of this, interim relief granted by Order dated 28.11.2025 stands confirmed.

CIVIL APPLICATION NO.430 OF 2026

10. This is an application for withdrawal of the amount of compensation. Applicants are the original claimants, who are seeking withdrawal of the amount of compensation deposited by the appellant.

11. Considering the fact that the amount of compensation is deposited in accordance with the judgment and award dated 30.07.2024 passed by the Member, Motor Accident Claims Tribunal, Pusad, Dist. Yavatmal, which is to be paid to the dependents of the deceased, at this stage the application is **allowed** and the applicants are permitted to withdraw 75% of the amount deposited with accrued interest subject to furnishing usual undertaking before the Registrar (Judicial). Respondent Nos.1 and 2 are allowed to withdraw the amount in equal proportions.

12. In view of above, civil application is **allowed** and **disposed of**.

FIRST APPEAL (ST.) NO.20155 OF 2025

13. Heard learned counsel for the appellant.
14. Issue notice to the respondents, returnable after four weeks.
15. Appellant is permitted to serve the respondent by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

(PRAFULLA S. KHUBALKAR, J.)

Privel