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

INTERIM APPLICATION NO. 1795 OF 2026
IN
FIRST APPEAL (ST) NO. 1099 OF 2026

Indubai Balasaheb Ivare and Ors. … Applicants

Vs.

Maharashtra State Road Transport Corporation Thr. Divisional Controller … Respondent

UDAY SHIVAJI JAGTAP
Digitally signed by UDAY SHIVAJI JAGTAP
Date: 2026.11.05 15:45:39 +0530

WITH
INTERIM APPLICATION NO. 309 OF 2026
IN
FIRST APPEAL (ST) NO. 1099 OF 2026

Maharashtra State Road Transport Corporation Thr. Divisional Controller … Applicant

Vs.

Indubai Balasaheb Ivare And Ors. … Respondents

WITH
INTERIM APPLICATION NO. 311 OF 2026
IN
FIRST APPEAL (ST) NO. 1099 OF 2026

Maharashtra State Road Transport Corporation Thr. Divisional Controller … Applicant

Vs.

Indubai Balasaheb Ivare And Ors. … Respondents

.....

Mr. Santosh Kumar Bhosale (through VC) for the Applicants
Mr. Shubham Dhoble a/w Samarth Chavan, Dhananjay Rananaware for the Respondent – MSRTC.

.....

CORAM : SHAILESH P. BRAHME, J.

DATE : 5th NOVEMBER, 2026.

P. C. :

I.A.NO. 1795 OF 2026

. The applicant seeks to withdraw the amount of Rs. 46,87,235/- deposited by the respondent – Corporation.

2. Learned counsel for the applicant submits that deceased was in service and bread earner of the family. After his death, the applicants are facing a penurious situation. They have not been paid any amount of compensation so far.

3. Learned counsel for the respondent – Corporation submits that deceased was pedestal and negligently crossing the road when he was dashed by the bus. The amount awarded by the Tribunal is exorbitant.

4. There is no reasons to doubt the contents of the application. No amount is disbursed to the applicant so far. The bread earner of the family has lost the life. They are entitled to receive part of the amount. Ends of justice would be met in permitting them to receive 60% of the amount with accrued interest.

5. The application is allowed partly permitting the applicants to receive 60% of the amount with accrued interest on furnishing

undertaking to the satisfaction of the Presiding Officer of the Tribunal. The balance amount shall be invested in the Nationalised bank.

I.A. NO. 309 OF 2025

6. The applicant seeks to condone the delay of 118 days in fling the present Appeal.

7. No *mala fides* can be found by the respondent – Corporation in preferring the appeal belatedly. The delay stands condoned.

8. Interim Application is disposed of.

FIRST APPEAL (ST) NO. 1099 OF 2026

9. Heard.

10. Admit.

11. Mr. Bhosale waives service for respondents.

12. Call for record and proceedings.

13. Print is dispensed with.

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

I.A. NO. NO. 311 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.)