

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION {L} NO.687 OF 2019
IN
APPEAL {L} NO.341 OF 2019

Tabassum Abdul Sattar	 Applicant
<i>In the matter between</i>	
Tabassum Abdul Sattar	 Appellant
Vs.	
Jan Mahila Sarees Pvt. Ltd. & Others	 Respondents

WITH
APPEAL {L} NO.341 OF 2019
IN
NOTICE OF MOTION {L} NO.1553 OF 2019
IN
SUIT [L] NO.727 OF 2019

Tabassum Abdul Sattar	 Appellant
Vs.	
Jan Mahila Sarees Pvt. Ltd. & Others	 Respondents

Ms Sanjana Pardeshi i/by Law Global for the
Appellant/Applicant.
Mr. Rohit Gupta with Ms Ketki Minhas i/by
H&M Legal Associates for Respondent No.8.

CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.

DATE : AUGUST 07, 2019

P.C:

1. The Appeal is challenging an order of the learned single Judge which is an ad-interim order and the main proceedings, namely, the Notice of Motion and the Suit are pending. The applicant/appellant was given an indulgence only because her counsel Mr. Subhash Jha said on the earlier occasion, on her instructions, that forcible possession will be taken of the flat occupied by her by the ICICI Bank. The ICICI Bank claims this to be its security.

2. Since there were allegations made of fraud and collusion, particularly against the Bank officials, we granted indulgence and had the appellant deposited Rs.10,00,000/- (Rupees Ten Lakhs) in this Court, we would have then considered her Appeal. Since our order passed on the previous occasion, namely, 23-7-2019 is self-operative and the amount of

Rs.10,00,000/- (Rupees Ten Lakhs) has not been deposited before the time stipulated in our order, this Appeal fails and is dismissed. Consequently, the present Notice of Motion is also dismissed.

(G.S. PATEL, J.)

(S.C. DHARMADHIKARI, J.)