

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO. 338 OF 2023
IN
FIRST APPEAL NO. 37 OF 2022**

SANDIP PANDURANG NAIK ... Applicant.

Versus

MARIA SALVADOR ... Respondents.
FERNANDES AND 6 ORS

Mr Shriram Polle, Advocate for the Applicant.
Mr A. Naik, Advocate for Respondent No.4.
Mr A.D. Bhobe, Advocate for Respondents No. 6(a).

**WITH
MISC. CIVIL APPLICATION NO. 342 OF 2023
IN
FIRST APPEAL NO. 74 OF 2022**

SANDIP PANDURANG NAIK ... Applicant.

Versus

RASHMI RAMESH NAIK AND ORS. ... Respondents.

Mr Shriram Polle, Advocate for the Applicant.
Mr A.D. Bhobe, Advocate for Respondents No.1.
Mr A. Naik, Advocate for Respondent No.7.

CORAM : M. S. SONAK, J.

DATE : 24th August 2023

P.C. :

1. Heard Mr Shriram Polle for the Applicant, and the learned Counsel for the respective Respondents.
2. An error has apparently crept in the operative portion of the Judgment and Award in First Appeals No. 37/2022 and 74/2022

made on 28/06/2023. Therefore, an impression is created that even the vehicle owner of the Eterno scooter, on which the victim-deceased was travelling, is made liable to pay the compensation. The findings in the Judgment and Award do not support such an impression.

3. Accordingly, in paragraph 50(a), after the word “Respondents” in line two, add the words “No.1, 2 and 3”.
4. Similarly, in paragraph 50(b), in line two, after the word “Respondents” in line two, add the words “No.1,2 and 3”.
5. The above means that the joint and several liability to pay the compensation to the Appellants in the two appeals will be that of Respondents No.1, 2 and 3.
6. The above corrections to be carried out in the original order and the order uploaded on the website.
7. Both the applications for clarification/modification/speaking to the minutes, are disposed of.

M. S. SONAK, J.