

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.387 OF 2024
WITH
INTERIM APPLICATION NO.388 OF 2024
IN
FIRST APPEAL (ST) NO.839 OF 2024

The New India Assurance Company Limited ...Applicant/Appellant

vs.

Gousai Bashir Shaikh and Ors. ...Respondents

WITH
INTERIM APPLICATION NO.12991 OF 2024
IN
FIRST APPEAL (ST) NO.839 OF 2024

Gousai Bashir Shaikh and Ors. ...Applicant

vs.

The New India Assurance Company Limited
and Anr. ...Respondents

Mr.Himanshu Takke i/b. Mr.Milind More:-	Advocate for Applicant in Interim Application Nos.387 of 2024 and 388 of 2024.
Ms.Rina Kundu:-	Advocate for Respondent Nos.1 to 7.

CORAM : S. M. MODAK, J.

DATE : 27th SEPTEMBER 2024

P. C. :-

1. Heard learned Advocate for the Applicant and learned Advocate for the Claimants.
2. There is a delay in preferring the Appeal, so also, withdrawal Application is there. The Claims Tribunal – Thane considered the Income Tax Return. It was submitted after his death.
3. Learned Advocate for the Appellant wants to rely upon a judgment on the ground, that such Return cannot be the basis for ascertaining the income.
4. Stand over to **4th October 2024**.

[S. M. MODAK, J.]