

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 463 OF 2021

Siddiqui Saeed Ahmed

... Appellant

Versus

Jayesh Nagindas Tailor and Ors.

... Respondents

WITH

INTERIM APPLICATION NO. 9877 OF 2024

IN

FIRST APPEAL NO. 463 OF 2021

Jayesh Nagindas Tailor and Ors.

... Applicants

In the matter of

Siddiqui Saeed Ahmed

... Appellant

Versus

Jayesh Nagindas Tailor and Ors.

... Respondents

WITH

INTERIM APPLICATION NO. 2236 OF 2021

IN

FIRST APPEAL NO. 463 OF 2021

Siddiqui Saeed Ahmed

... Applicant

Versus

Jayesh Nagindas Tailor and Ors.

... Respondents

Ms. Sandhya Nanavare, Advocate for the Appellant.

Ms. Rina Kundu, Advocate for Respondent No.1.

CORAM : ARUN R. PEDNEKER, J.

DATED : 1st JULY, 2024.

P.C. :

1. Heard learned counsel for the appellant.

2. Learned counsel for the appellant submits that at the time of accident, the vehicle was transferred to the third party. However, on perusal fo the Judgment of the Tribunal, it appears that on the date of accident the vehicle was standing in the name of the appellant. However, the possession was with opposite party No.2 and was being driven by opposite party No.3. The Tribunal has held all the three claimants responsible. 50% amount as directed by this Court has been deposited before the Tribunal.

3. The amount deposited is permitted to be withdrawn by the claimant, subject to filing of usual undertaking to the satisfaction of the Presiding Officer of the Tribunal.

4. Accordingly, Interim Application No. 9877 of 2024 is disposed of.

5. Stay confirmed only against the appellant.

6. Interim Application no. 2236 of 2021 is disposed of.

7. The First Appeal is admitted.

8. Call R & P.

(ARUN R. PEDNEKER, J.)

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