

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10351 OF 2024
IN
FIRST APPEAL NO.1678 OF 2016

Sujata Chakravarti ...Applicant

In the matter between:-

Sujata Chakravarti ...Appellant

vs.

Shantaram Gopal Borade and Ors. ...Respondents

WITH
INTERIM APPLICATION NO.10354 OF 2024
IN
FIRST APPEAL NO.1681 OF 2016

Sujata Chakravarti ...Applicant

In the matter between:-

Sujata Chakravarti ...Appellant

vs.

Sonam Kishore Pandit and Ors. ...Respondents

WITH
INTERIM APPLICATION NO.10352 OF 2024
IN
FIRST APPEAL NO.1679 OF 2016

Sujata Chakravarti ...Applicant

In the matter between:-

Sujata Chakravarti ...Appellant

vs.

Pradip Dwarkanath Aayarkar and Ors. ...Respondents

WITH
INTERIM APPLICATION NO.10357 OF 2024
IN
FIRST APPEAL NO.1683 OF 2016

Sujata Chakravarti ...Applicant

In the matter between:-

Sujata Chakravarti ...Appellant

vs.

Jyoti Kishore Pandit and Ors. ...Respondents

WITH
INTERIM APPLICATION NO.10355 OF 2024
IN
FIRST APPEAL NO.1682 OF 2016

Sujata Chakravarti ...Applicant

In the matter between:-

Sujata Chakravarti ...Appellant

vs.

Avinash Sakharam Shinde and Ors. ...Respondents

**WITH
INTERIM APPLICATION NO.10353 OF 2024
IN
FIRST APPEAL NO.1680 OF 2016**

Sujata Chakravarti ...Applicant

In the matter between:-

Sujata Chakravarti ...Appellant

vs.

Jyoti Kishore Pandit and Ors. ...Respondents

Mr.Jayant Gaikwad and Ms.Pushpa Prajapati i/b. Mr.B.V.Phadnis:-	Advocates for Appellant
Ms.Poonam R. Mital:-	Advocate for Respondent No.2.
Mr.T.J.Mendon:-	Advocate for Original-Claimant.

CORAM : S. M. MODAK, J.

DATE : 19th AUGUST 2024

P. C. :-

1. Heard learned Advocate for the Applicant - Sujata Chakravarti and learned Advocate for the Respondent – Claimant and Respondent – Insurance Company.

2. This is an Application for setting aside the order dated 6th May

2024 (by which, all these Appeals are dismissed) and for restoration of those Appeals. Except the above referred Respondents, other Respondent – Pradip Dwarkanath Aayarkar is not served. Let, the Applicant to serve him by private notice returnable on 23rd September 2024. Affidavit of service be filed.

3. The Claims Tribunal at Mangaon has held the owner of the offending vehicle – Sujata Chakravarti, the Insurer and one Rajjak Patel – alleged to be a subsequent purchaser, jointly and severally responsible for the payment of compensation. Liberty is granted to the Insurance Company to recover the amount from the owner. The Appeals filed by the Insurance Company got dismissed. They have already deposited the amount and the Claimant has withdrawn it. The Insurance Company has filed Execution before the Executing Court.

4. Learned Advocate for Applicant – Appellant Ms.Chakravarti raised various contentions relating to sale of the vehicle and on the date of the incident, the vehicle was not standing in her name. Whereas, according to the Insurance Company, the policy on the date of accident was standing in the name of Sujata Chakravarti.

5. All these contentions are raised for the first time in the Appeal because Chakravarti has not appeared before the Claims Tribunal. According to the Respondents, if these Applications are to be restored, there has to be a condition to deposit the entire amount. **Learned Advocate seeks time to take instructions about deposit.** It is made clear that this court has not stayed the executions.

6. In view of that, stand over to **23rd September 2024**. To be listed **“High on Board”**.

7. For some reason or other, if Applicant fails to proceed with these Applications, appropriate orders will be passed.

[S. M. MODAK, J.]