

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 ... Appellant
vs.
Shantaram Gopal Borde ... Respondent

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

Sujata Chakravarti ... Applicant
vs.
Sonam Kishor Pandit (minor)
Thorough Guardian Mother
Smt.jyoti Kishor Pandit And Ors. ... Respondent

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

Sujata Chakravarti ... Applicant
vs.
Pradip Dwarkanath Ayarkar ... Respondent

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

Sujata Chakravarti

... Applicant

vs.

Jyoti Kishore Pandit And Ors.

... Respondents

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

Sujata Chakravarti

... Applicant

vs.

Avinash Sakharam Shinde And Ors.

... Respondents

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

Sujata Chakravarti

... Applicant

vs.

Jyoti Kishore Pandit And Ors.

... Respondent

Adv. Jayant Gaikwad, Adv. Sunita Gaikwad, Adv. Pushpa Prajapati i/b. Adv. B. V. Phadnis :-	Advocate for Applicant.
Adv. Poonam R. Mital :-	Advocate for Respondent No. 2.

CORAM : S. M. MODAK, J.

DATE : 23rd SEPTEMBER 2024

P.C. :-

1. Heard learned Advocate Mr. Gaikwad i/b. Advocate Phadnis for Applicant and learned Advocate for Respondent No. 2 – Insurance Company. There are six awards by the Motor Accident Claim Tribunal, Raigad [Tribunal]. The present Applicant was Respondent No. 1. She claims that she has sold the offending vehicle to one Rajjak Siddique Patel, who was Respondent No. 3 before the Tribunal. Both of them remained absent. Insurance Company has filed Execution Proceeding before Executive Court. The Execution Court was permitted to recover the amount. Those findings are there in paragraph No. 12 and the operative order.

2. Presents Appeals are dismissed for non-appearance as per the order dated 6th May 2024. The execution is pending. Neither this Applicant nor the Insurance Company has served Respondent No. 3 Rajjak Patel (in execution). Claimants are insisting for dismissing this Application for non-depositing the awarded amount. Applicant is unable to pay amount as awarded. She is not praying for stay. Court

can direct the Applicant to deposit amount as a condition of stay but she is not asking for stay. Yet Respondent No. 3 - Rajjak Patel is not served.

3. Let Applicant to take necessary steps. If steps are not taken, the Application against him will be dismissed.

4. On the next date Court will hear the Application on it's own merit. Learned Advocate to file Vakalatnama on the next date.

5. Stand over to **21st October 2024.**

[S. M. MODAK, J.]