

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

First Appeal No.390 of 2025
With
Interim Application No.16198 of 2024
With
Interim Application No.10733 of 2025
In
First Appeal No.390 of 2025

M/s. Arjun Travels ... Appellant
V/s.
Smt. Jamuna Devi Brijlal Yadav & ors. ... Respondents

Mr. J.S. Kini a/aw. Aum Kini i/b. Ms. Sapna Krishnappa	Advocate for the Appellant.
Mr. Vasant More	Advocate for the Respondents.

CORAM : S.M. MODAK, J

DATE : 29th September 2025.

P.C. :

Heard learned Advocate Kini for the Appellant-employer and learned Advocate Shri More for the Respondent-claimant-wife of the deceased.

2. There is no dispute that the deceased Brijlal was working with the Appellant as a driver. The dispute is whether he was temporary driver or not?

There is further dispute as to whether the death has occurred due to the accident which can be attributed during the course of employment. There is no dispute that his death body was found in the bus on 16th December 2021. The bus belongs to the employer. It was noticed by the Supervisor and then intimation was given to Kurla Police Station. Postmortem was performed. A coronary artery disease is cause of death (Page-24).

3. Mr. More has taken me through the evidence of wife of deceased and the Appellant who is a Partner of the firm. All the issues need to be decided by the test of substantial question of law.

4. Stand over to **6th October 2025** as 'Part-Heard'.

(S.M. MODAK, J.)