

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

**INTERIM APPLICATION (STAMP) NO. 891 OF 2026
IN
FIRST APPEAL NO. 2113 OF 2007**

Surekha Umesh Poojari and Another ... Applicants

IN THE MATTER BETWEEN :

Maharashtra State Road Transport ... Appellant

V/s.

Surekha Umesh Poojari and Others ... Respondents

Mr. Nikhil Mishra a/w Mr. Pratik Amin & Mr. Harsh Agarwal,
Advocates for the Applicants/Respondent Nos. 1 & 2/Original
Claimants.

Ms. Rajlaxmi Punjabi h/f Ms. Pinky M. Bhansali, Advocate for the
Appellant/Original Opponent.

**CORAM : ABHAY AHUJA, J.
DATE : 1st APRIL, 2026.**

P.C. :

1. Although on 16.03.2026, Ms. Bhansali, learned Counsel
appearing for the Appellant-Maharashtra State Road Transport
Corporation ("MSRTC") had sought time to consider the prayers in

the Interim Application, which seeks a direction to the Motor Accident Claims Tribunal (“MACT”) at Mumbai to the return of the Applicants’ original Title Deeds pertaining to the Applicants’ Room No. 32/1711, Khernagar Sahajeevan CHSL, Khernagar, Survey No. 341 (Part), CTS No. 607 (Part), area 220 sq.ft. Carpet situated at Bandra (East), Mumbai (“the said property”) including the Agreement for Sale and the Society Share Certificate, which were deposited pursuant to the order dated 10.07.2007 passed by this Court, Ms. Rajlaxmi Punjabi, learned Counsel appears for the MSRTC and seeks some more time to take instructions submitting that the service was effected only on 30.03.2026.

2. This Court is surprised as to how an organisation of the stature of the MSRTC is making an excuse of this nature after withdrawing the First Appeal on 22.03.2025, while after withdrawal, the MSRTC, who should have on their own called the Applicants to take their original Title Deeds in respect of the said property.

3. Mr. Nikhil Mishra, learned Counsel appears for the Applicants submits that the original Title Deeds of the said property had been tendered as security for withdrawal of the amount deposited by the

MSRTC in the Tribunal and once the Appeal filed has been withdrawn and the order of Tribunal was in favour of the Applicants, there is no reason why the said original Title Deeds ought to remain with the MACT and that, the same ought to be returned forthwith.

4. Having heard the learned Counsel and having considered the submissions, this Court is of the view that the Interim Application be allowed in terms of prayer clause (a), which reads thus :-

“a. Be pleased to direct the Motor Accident Claims Tribunal, Mumbai to forthwith hand over and return to the Applicants the original title documents pertaining to the Applicants’ Room No. 32/1711, Khernagar Sahajeevan CHSL, Khernagar, Survey No. 341 (Part), CTS No. 607 (Part), area 220 sq.ft. Carpet situated at Bandra (East), Mumbai including the Agreement for Sale and the Society Share Certificate, which were deposited pursuant to the Order dated 10.07.2007 passed by this Hon’ble Court, as more particularly evidenced by Exhibits ‘E’ and ‘F’ annexed hereto.”

5. Interim Application accordingly stands allowed and disposed of.

(ABHAY AHUJA, J.)

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