

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1259 OF 2011

The Manager, ICICI Bank Ltd.

...Appellant

Versus

Valmik Shripati Borawane (Deceased),
through LRS 1A (Lata Walmik Borawane & Ors.) ..Respondents

Mr. Shakib Dhorajiwala a/w. Mr. Indrajeet Deshmukh i/b. M/s. Vidhii
Partners for Appellant.

Mr. Vilas B. Tapkir for Respondent Nos.1A to 1C.

CORAM : JITENDRA JAIN, J.

DATED : 1st OCTOBER 2024

P.C.

1. The short issue involved in the present appeal is whether on the date of accident, i.e., 26th June 2003, Appellant was the owner of the vehicle, so as to fasten the liability on them. It is the submission of the Appellant that the said vehicle was sold in auction on 18th November 2002 by them and, therefore, they are not liable. However, in paragraph 53 of the impugned order, the Tribunal has observed that no evidence has been produced in support of the submission that the sale took place on 18th December 2002. However, the Appellant submits that the documents were filed and, therefore, the observations are not correct. Therefore, the parties are directed to verify R&P records to

ascertain the correctness of what is observed in paragraph 53 of the impugned order. To enable the parties to do so, the appeal is adjourned to 15th October 2024.

[JITENDRA JAIN, J.]