

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4769 OF 2008

[Arising out of SLP(C) No.8300/2007]

MOHAMMAD JALIL ... **APPELLANT(S)**

:VERSUS:

LALMANI DEVI AND ORS. ... **RESPONDENT(S)**

ORDER

Nobody appears on behalf of the respondents despite service of notice.

Leave granted.

This appeal is directed against the judgment and order dated 3.4.2007 passed by a Division Bench of the High Court of Judicature at Allahabad in F.A.F.O. No. 898 of 2007 whereby and whereunder the High Court, while admitting the appeal of the appellant, directed the appellant who is the owner of the vehicle, to deposit the awarded amount of Rs. 2,90,800/- along with interest accrued thereon till the said date, within a period of one month therefrom.

The contention of the appellant is that the question involved in the appeal before the High Court was as to whether the vehicle in question was at all involved in the accident or not and in that view of the matter, until a finding is arrived at in favour of the respondents, the question of the appellant incurring any liability for payment of compensation for the death of the deceased would not arise.

-2-

By an order dated 14.5.2007, this Court while issuing notice directed the appellant to deposit 50% of the awarded amount.

It is stated by Mr. Anis Ahmed Khan, learned counsel for the appellant that the said order has been complied with. In that view of the matter, we set aside the impugned order directing the appellant to deposit the entire awarded amount with interest, and that the amount so deposited by the appellant may be invested in a fixed deposit account with a nationalised bank. The said amount along with interest accrued thereon shall enure to the benefit of the successful party.

We, however, request the High Court to consider the desirability of disposing the appeal of as expeditiously as possible.

The appeal is disposed of accordingly.

**.....J
(S.B. SINHA)**

**.....J
(CYRIAC JOSEPH)**

**NEW DELHI,
AUGUST 1, 2008.**