

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 861 OF 2010

New India Assurance Co. Ltd. .. Appellant

Versus

Faruk Dadamiya Shaikh & ors. .. Respondents

Mr. D.S. Kulkarni h/f. Mr. S.L. Kulkarni, Advocate for
the appellant.

Mr. R.K. Temkar, Advocate for respondent No.1.

CORAM : A.V. NIRGUDE, J.

DATED : 28.07.2015

P.C. :-

1. This appeal was dismissed as against respondent Nos.2 and 3 for want of taking necessary steps in September, 2013. No steps were taken thereafter for getting appeal revived against those respondents. The record shows that on 18th February, 2015 i.e. last time, learned Counsel for the appellant made application for giving him some more time to take steps and my learned Brother Judge graciously gave appellant four weeks' time. Four weeks are long back over. No steps are taken. The order passed on 18th February, 2015 is self-operating order. There cannot be further extension of time. Now, appeal cannot be revived against respondent Nos.2 & 3.

2. In view of dismissal of the appeal as against respondent Nos.2 and 3, the appeal would not survive against remaining respondent. The appeal stands dismissed. The amount deposited in this Court be paid to respondent No.1/claimant.

[A.V. NIRGUDE,J.]