

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

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**915 CIVIL APPLICATION St. NO.33463 OF 2015
IN FA/348/2013**

**NATIONAL INSURANCE CO. LTD. AND ANOTHER
VERSUS
RAMKRISHNA SUNDARBABU LIMBALE**

**Advocate for Applicant : Mr. A B Gatne
Advocate for Respondent : Mr. Patil Jayant R.**

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CORAM : S. V. GANGAPURWALA, J.

DATE : 30th October, 2015

PER COURT :

1. The present civil application is filed for restoration of appeal dismissed for not taking steps as against respondent No.2. Mr. Gatne, the learned counsel for the appellant submits that Mr. Varad the learned counsel had already appeared for respondent No.2 as was disclosed in the computer on 02.05.2014, however, on 29.09.2014, conditional order was passed i.e. if the steps are not taken as against respondent no.2-owner of the vehicle, the appeal would stand dismissed.

2. Considering the reasons given, the civil application is allowed in terms of prayer clause (B).

(S. V. GANGAPURWALA, J.)

JPC