

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.3893 OF 2013
IN
FIRST APPEAL NO.1255 OF 2010

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Sachin Kankal ik/b. K. N. Kandekar for the Applicant

Mr. S. T. Bhosale i/b. V. R. Garad for the Respondent Nos.1 to 3.

CORAM : K. K. TATED, J.

DATE : APRIL 10, 2015

P.C.:

1. Heard the learned counsel for the Applicant. None for the Respondent Nos.1 to 3 though duly served.

2. Office note shows that the Civil Application is not served on Respondent No.4.

3. This Application is preferred by the Insurance co. for restoration of the present First Appeal which stood dismissed in view of conditional order dated 02/09/2010 and 30/09/2010 for non filing of private paper book. The learned counsel for the Applicant submits that the Applicant Insurance Co. is ready and willing to

file private paper book within 8 weeks from today.
Statement is accepted.

4. As there is delay of more than 1 year 341 days in preferring the present Civil Application, the Applicant is directed to deposit sum of Rs.5000/- by way of costs payable to the Respondent-claimant Nos.1 to 3 within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court. Hence, the following order:

a) The First Appeal No.1255/2010 is restored to file.

b) Time to comply with order dated 30/09/2011 is extended by 8 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

c) The Applicant shall either pay or deposit sum of Rs.5000/- by way of costs payable to Respondent Nos.1 to 3 within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

d) Civil application stands disposed off accordingly.

JUDGE