

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO.258 OF 2010
IN
FIRST APPEAL NO. 400 OF 1992***

The United India Insurance Co. ... Applicant

v/s

Smt.Nisha Devidas Kulkarni & ors. ... Respondents

Mr.Rahul Mehta i/by KMC Legal Venture for the applicant.

Mr.Sagar Joshi i/by S.M. Oka for Resp. Nos.1 to 5.

CORAM: K.K.TATED, J.

DATED : 21 JANUARY 2015

PC.:

Heard learned counsel for parties.

2 This application is preferred by the Insurance Company for restoration of First Appeal No.400 of 1992 which was dismissed for want of prosecution by an order dated 12 January 2010.

3 Considering the submissions made by learned counsel for the applicant and averments made in the civil application, I am satisfied that the applicant has made out a case for allowing the civil application. Hence the following order :

O R D E R

- (A) Order dated 12 January 2010 passed by this Court is recalled.
- (B) First Appeal No.400 of 1992 is restored to file for hearing and final disposal.
- (C) Learned counsel for the respondent waives service in First Appeal.
- (D) Civil application stands disposed of accordingly.

(*K.K.TATED, J.*)