

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

CIVIL APPLICATION NO.1517 OF 2014
IN
FIRST APPEAL NO. 9053 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. Ramesh Cheulkar for the Applicant
Mr. Nikhil Mehta i/b. KMC Legal Venture for the Respondent.

CORAM : K. K. TATED, J.
DATE : FEBRUARY 26, 2015

P.C.:

1. Heard. This Application is preferred by the Insurance Co. for restoration of the Civil Application No.1387/2010 against Respondent No.2 which was dismissed in view of conditional order dated 11/03/2014.

2. The learned counsel for the Applicant submits that the Applicant undertakes to take appropriate steps for service of the Civil Application No.1387/2010 on Respondent No.2 within two weeks from today.

3. The present Civil Application is vehemently opposed by the Respondent No.1.

4. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

4. Hence, the following order:

a) Order dated 11/03/2014 passed by this court is recalled.

b) Civil Application No.1387/2010 is restored to file against Respondent No.2 for hearing on its own merits.

c) If Applicant failed to take appropriate steps for service on Respondent No.2 within two weeks from today, the Civil Application shall stand dismissed without further reference to the court.

d) The Applicant to pay cost of Rs.250/- to the Respondent No.1.

e) Civil application stands disposed off accordingly.

JUDGE