

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

**CIVIL APPLICATION NO.2050 OF 2014
IN
FIRST APPEAL (ST) NO.5928 OF 2012**

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.Devendranath S. Joshi for the applicant

**CORAM : K.K.TATED, J.
DATED : 7TH JANUARY, 2015**

PC:

- 1 Heard the learned counsel for the applicant.
 - 2 This application is preferred by original opponent no.3 Insurance Company for restoration of Civil Application No.2681 and 2682 of 2012 against respondent nos.2 and 3.
 - 3 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. Hence, following order:
- a) Delay in preferring the Civil Application is condoned.

- b) Civil Application No.2681 and 2682 of 2012 is restored against respondent nos.2 and 3.
- c) Applicant is permitted to serve respondent nos.2 and 3 in Civil Application No.2681 and 2682 of 2012 by publication as per Order V Rule 20 of the Code of Civil Procedure.
- d) In addition to usual mode of service, the applicant is directed to serve the Respondents by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect on or before next date.
- e) Civil Application is disposed of accordingly.

(K.K.TATED, J.)