

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

**CIVIL APPLICATION NO.3690 OF 2014
IN
FIRST APPEAL (ST) NO.3615 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.Sandeep S. Jinsiwale for the applicant

Mr.Nikhil Pawar i/b Mr.T.S.Ingle for the respondent

CORAM : K.K.TATED, J.
DATED : 27/03/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by Insurance Company for restoration of Civil Application No.742 of 2012 and 743 of 2012 against respondent no.4 which was dismissed in view of conditional order dated 19.8.2014 passed by learned Registrar (Judicial-II).
- 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) Civil Application is allowed in terms of prayer clause (a) and (b) which read thus:

“(a) That this Hon'ble Court be pleased to restore the Civil Application Nos.742 of 2012 and 743 of 2012, against the Respondent no.4 and the conditional order dated 19/08/2014 passed by the Learned Registrar (Judicial-II) be set aside.

(b) This Hon'ble Court be pleased to permit the Applicants/Appellants to serve the notices of the Civil Application nos.742 of 2012 and 743 of 2012 on the Respondent no.4, by publication of the notice in the two daily newspapers.”

B) Applicant to take steps for publication of the notice on respondent no.4, returnable after 12 weeks from today, failing which First Appeal (ST) No.3615 of 2012 stand dismissed without referring back to the court.

C) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)