

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CAO No.1165/2014 in First Appeal St. No.20138/2011
National Insurance Co.Ltd. Vs. Haridas Manaklal Bhattad and ors.

Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	<u>Court's or Judge's Orders.</u>
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CORAM : Z.A. HAQ, J
DATE : 20th January, 2015.

Heard Shri D.N. Kukday, the learned Advocate for the applicant.

For the reasons stated in the application, the delay in filing the application praying for setting aside the order passed by the learned Registrar (Judicial) is condoned. The civil application is allowed.

CAO No.1166/2014

For the reasons stated in the application, the orders passed by the learned Registrar (Judicial) on 11th March, 2014 and 25th March, 2014 are set aside. The appeal is restored against the respondent nos. 3 and 4. Issue notice to the respondent nos. 3 and 4.

On oral motion made by Shri D.N. Kukday, the learned Advocate for the appellant and considering the fact that earlier also the respondent nos.3 and 4 were required to be served by publishing the notice in the newspaper, the appellant is permitted to serve the respondent nos. 3 and 4 by publishing notice in the daily "Yashobhumi" as permitted earlier, having circulation in Mumbai and Thane.

The appellant shall take steps to get the notice published within eight weeks and file newspaper along with an affidavit with the Registry of this Court till 27th April, 2015. In default on the part of the appellant to take necessary steps within the stipulated time, the appeal shall stand dismissed with costs of Rs. 5000/- to be deposited by the appellant with the High Court Legal Services, Sub-Committee, Nagpur.

JUDGE

Ambulkar