

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**931 CIVIL APPLICATION NO. 3603 OF 2012
IN FA/1320/2011**

NATIONAL INSURANCE CO LTD THROUGH DIVISIONALL
MANGER/ASSTT MANAGER AURANGABAD
VERSUS
BABANRAO MURLIDHAR TEJINKAR AND ORS

...
Advocate for Applicant : Mr. Kulkarni Sudhir V.

...
CORAM : P.R. BORA, J.
Dated: April 22, 2016
...

PER COURT :-

1) Mr. Sudhir V. Kulkarni, the learned Counsel appearing for the appellant / Insurance Company submits that, respondent No.6 is the driver of the offending vehicle. Learned Counsel further submits that, the said respondent will have to be served through a public notice. Learned Counsel further submits that, the necessary steps will be taken by the appellant / Insurance Company to serve respondent no.6 by way of public notice. He has, therefore, prayed for setting aside the order passed by the Registrar, whereby the appeal has been dismissed as against respondent No.6.

2) In view of the submissions so made, Civil Application is allowed. The order passed by the Registrar on 06.03.2012 is quashed and set aside. The delay caused in filing the present

application is condoned. The appeal stands restored against respondent No.6.

3) The appellant / Insurance Company is permitted to serve respondent No.6 by way of public notice in widely circulated newspaper in Aurangabad.

4) Place the First Appeal for admission on 07.06.2016.

(P.R. BORA, J.)

...

spr