

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**37 CIVIL APPLICATION NO. 9459 OF 2013
IN FAST/17469/2011**

ORIENTAL INSURANCE CO. LTD.
VERSUS
AMBRUSHI MARUTI KADAM AND OTHERS

...
Advocate for Applicant : Mr.Totala Rameshwar F.
AGP for Respondent Nos. 1 and 2: Mr. S.A. Wakure

...
CORAM : P.R. BORA, J.
Dated: April 25, 2016
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PER COURT :-

1) Learned Counsel submits that, since respondent No.3 could not be served within stipulated period and further steps also could not be taken, the appeal has been dismissed against the respondent No.3 vide order passed by learned Registrar on 01.02.2013. Learned Counsel submits that, appellant will serve respondent No.3 by way of public notice.

2) Delay of 43 days caused in filing the present application is condoned.

3) In view of the above, the order passed by the learned Registrar on 01.02.2013 is quashed and set aside. The appeal stands restored against respondent No.3. The appellant is permitted to serve respondent No.3 through a public notice to be published in a widely circulated newspaper in the local area, wherein respondent No.3 is stated to be residing. Stand over to 10.06.2016.

(P.R. BORA, J.)
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AGP/-