

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

**CIVIL APPLICATION NO.3539 OF 2015
IN
FIRST APPEAL STAMP NO.23842 OF 2012**

The New India Assurance Co. Ltd. .. Applicant/Appellant
Versus
Smt. Muluhura Devtadin Rajbhar
and another .. Respondents

Mr. S. M. Dange for the Applicant/Appellant.
Mr. T. J. Mendon for the Respondents.

CORAM : R.M. SAVANT, J.
DATE : 3rd AUGUST 2016

PC.

1 The above Civil Application has been filed for restoration of the above First Appeal as well as the Civil Applications for condonation of delay and stay which have stood dismissed for non-prosecution against the Respondent No.2 in view of the fact that the Respondent No.2 remained to be served. The reasons why the Respondent No.2 could not be served have been mentioned in the Civil Application. Hence, accepting the said reasons the Civil Application is allowed. Resultantly, the First Appeal and the two Civil Applications stand restored to file. The Applicant/Appellant is permitted to serve the Respondent No.2 by publishing the notice in

(34) - CAF-3539-15.doc

“Navbharat Times” having circulation in Navi Mumbai. Notice to indicate that the same is made returnable on 06.09.2016. The Civil Application is disposed of.

[R.M. SAVANT, J]