

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3287 OF 2016
IN
CIVIL APPLICATION NO.1387 OF 2010
IN
FIRST APPEAL St. NO.9053 OF 2010**

New India Assurance Co. Ltd.

..Applicant

Vs.

Sammerazma Rafique Khan & Anr

..Respondents

Mr. R. K. Cheulkar for the Applicant

None for the Respondent No.1

CORAM : R. M. SAVANT, J.

DATE : 26th JULY, 2016

P.C.

1 The above Civil Application has been filed for restoration of the above Civil Application No.1387 of 2010 and for condonation of delay of 1 year and 89 days in filing the above Civil Application. The said Civil Application No.1387 of 2010 has been dismissed qua the Respondent No.2, in view of the fact that the service remained to be effected on the Respondent No.2. The above Civil Application is therefore allowed, resultantly the Civil Application No.1387 of 2010 is restored to file and the delay of 1 year and 127 days in filing the restoration Application stands condoned. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]