

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.198 OF 2016
IN
FIRST APPEAL NO.46 OF 2013

The New India Assurance Co. Ltd. ... Applicant

Vs.

Shankar Mariba Kale & Ors. ... Respondents

Mr.Shrikant Madhukar Dange for the Applicant
Mr.P.G. Chavan for Respondents

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **28th JANUARY, 2016**

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. Learned Counsel appearing for the appellant insurance company submits that pursuant to the order dated 18.3.2014 passed by this Court, the appellants were to file paperbook within one year from the date of the conditional order. However, as it was not filed, the appeal stood dismissed without reference to the Court. The learned Counsel submits that inadvertently, the paperbook was not filed. The appellants have now prepared the paperbook and it is ready. He prays for restoration of the appeal.
3. The learned Counsel for the respondents/original claimants is present.

4. In view of the submissions made by the learned Counsel and as the appeal is already admitted on 18.3.2014, the appeal is restored to its original file with interim order, if any. The appellant shall file the paperbook before 17.2.2016. It is made clear that if the paperbook is not filed as stated above, the appeal will stand dismissed without further reference to Court.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)