

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3530 OF 2015
IN
FIRST APPEAL NO.1510 OF 2013

The New India Assurance Company Ltd. ... Applicant
vs.
Sheetal Ramkumar Shah and Others ... Respondents

Mr. S.M. Dange, for the Applicant.

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

DATE: **27th JANUARY, 2016**

P.C.:

. The learned counsel for the Applicant submits that this civil application is moved for the condonation of delay. There is delay of 154 days in filing the application for restoration as the Appellant did not file the paper book within one year. The Appeal was dismissed by an order dated 2nd April, 2014.

2. The learned counsel Mr. Dange for the Applicant submits that he has talked with the learned counsel Mr. Borvankar for the Respondents on telephone and he informed him that he has no

objection to get the matter restored as it is not possible for him to come today.

3. The submission made by the learned counsel Mr. S.M. Dange for the Applicant at bar is accepted. The Appeal was dismissed on 2nd April, 2014 for non-compliance of the Courts order. The paper book was not filed within one year and so the matter was dismissed. The learned counsel for the Insurance Company submits that their paper book is ready and they will file it within two weeks.

4. In view of this submission, the impugned order dated 2nd April, 2014 is hereby recalled.

5. Civil Application is allowed and accordingly disposed of.

6. The First Appeal is restored to its original file. The Insurance Company to file the paper book on or before 12th February, 2016 and if not filed this Appeal will be dismissed without referring to the Court.

(MRS.MRIDULA BHATKAR, J.)