

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (CAF) No.1844 of 2014

In

First Appeal Stamp No.12708 of 2012

(National Insurance Co. Ltd., through its Authorised Officer v. Jageshwar
s/o Sonu Neware and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's order

Court's or Judge's orders

Shri A.R. Godbole, Advocate for Applicant.

Coram : R.K. Deshpande, J.

Date : 5th January, 2016

Civil Application (CAF) No.1844 of 2014 :

The learned counsel for the applicant submits that the respondent No.1 was a driver of the offending vehicle and he was not a necessary party. According to him, the appeal would survive even if it is dismissed against the respondent No.6. All other respondents have already been served. No reply is filed. The application is not opposed.

In view of above, after going through the averments made in the application, which remain uncontroverted, I am satisfied that a sufficient cause is made out for condonation of delay. Hence, the delay caused is condoned.

The civil application is disposed of.

First Appeal Stamp No.12708 of 2012 :

Heard.

Admit.

Call for R & P.

The respondents be served by RPAD in addition to regular mode of service.

The question as to the effect of dismissal of appeal against the respondent No.6 shall be considered at the time of final hearing of the appeal.

The entire decretal amount has already been deposited in this Court.

Hence, the interim order passed earlier by this Court shall continue to operate pending the decision of the appeal.

Civil Application No.1845 of 2014 for stay is disposed of.

Judge.