

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 9553 OF 2016 IN FA/2488/2010

ICICI LOMBARD GENERAL INSUANCE CO LTD
VERSUS
MANISHA RAVINDRA FUKTE AND OTHERS

...
Advocate for Applicant : Mr. M.A.Deshmukh h/f. Mr. S.G.Chapalgaonkar
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CORAM : K.K. SONAWANE, J.

DATED : 24TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicant.

2. Perused the application. It appears that, proceedings of appeal came to be dismissed for not removing the office objection as well as not producing private paper book within stipulated period.

3. Considering the nature of subject matter, I find that reasonable opportunity is required to be granted to the applicant for substantial justice. Therefore, I do not find any impediment to allow the application. Hence, civil application stands allowed in terms of prayer clause 'B' and 'C'. The delay caused for filing present application is hereby condoned. The dismissal order passed by learned Registrar dated 09-07-2013 is hereby set-aside and quashed. The proceedings of First Appeal No. 2488 of 2010 be restored at it's original stage. After restoration of appeal, the applicant to remove office objection and produce private paper book of the matter within four weeks, failure to which, the order of restoration shall stand revoked automatically without further reference to this Court. The Registry to take note about the same. After due compliance, list the matter in due course. Accordingly, civil application stands disposed of in above terms.

**[K. K. SONAWANE]
JUDGE**

rrd.