

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION (stamp) NO.2822 OF 2017
IN
REJECTED CASE NO.2045 OF 2016**

Oriental Insurance Co. Ltd.

... Applicant

Vs.

Shabina Muahid Khan & Ors.

... Respondents

Mr.D.S. Joshi for the Applicant

Mr.T.J. Mendon for Respondent Nos.1 & 2

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: NOVEMBER 1, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This application is moved for restoration of the First Appeal alongwith the Civil Application Nos.905 of 2013 and 906 of 2013. Learned Counsel for the applicant submits that pursuant to the order dated 8.7.2015 by this Court, appropriate steps for serving Respondent No.4 are not taken. He submits that the applicant be allowed to serve Respondent No.4 by substituted service by publication in one English daily in Uttar Pradesh.
3. Heard.

4. In view of the above, the order dated 8.7.2015 is recalled and the First Appeal (stamp) No.30674 of 2012 alongwith the Civil Application Nos.905 of 2013 and 906 of 2013 are restored to file with all the interim orders, if any. Permission is also granted to serve respondent No.4 by publication in an English daily as also a Hindi daily newspaper in Uttar Pradesh.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)