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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2450 OF 2007
WITH
CIVIL APPLICATION NO.2451 OF 2007
IN
FIRST APPEAL (ST) NO. 9598 OF 2007
WITH
FIRST APPEAL (ST) NO. 9598 OF 2007**

New India Assurance Co. Ltd. ...Applicant/Appellant
vs
Shri.Santosh Girijanandan Pandey & Anr. ...Respondents.

.....
Ms Divya Prasad i/b R. Bharvan & Associates for the Applicant/
Appellant.
None for the Respondents

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**CORAM : M. S. SONAK, J.
27 FEBRUARY, 2017**

P.C. :

Ms Divya Prasad, the learned Counsel for the appellant handed over a xerox copy of the notice served by the firm, informing them that they are withdrawing their appearance. The latter also states that the appellant has to take steps to serve the unserved respondents, failing which the appeal will stand dismissed. This letter dated 3 February, 2017, which bears the endorsement of receipt from the appellant - the insurance company, is taken on record. Since, the service is not effected upon the unserved respondents, and the matter

relates to the year 2007, no further indulgence can be shown in the matter. Accordingly, the Civil Application and the Appeal itself are hereby dismissed for non-prosecution. Interim order, if any, stands vacated.

2 Further, the Court Associate informs that the record shows that the matter is shown as disposed of as per the order dated 1.12.2010. In any case, it is clarified that the Civil Application and the Appeal stands disposed of.

(M. S. SONAK, J.)