

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

**CIVIL APPLICATION NO.1079 OF 2017  
IN  
FIRST APPEAL (ST.) NO.10248 OF 2017  
WITH  
CIVIL APPLICATION NO.1080 OF 2017**

The Oriental Insurance Co. Ltd. ... Applicant  
Versus  
Smt. Alpa Vasant Patel And Others ... Respondents

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Mr. D.S. Doshi for the Applicant.  
Mr. Nikhil Mehta i/b KMC Legal Venture for Respondent Nos.1 to 5.

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**CORAM : S.C.GUPTE, J.**

**DATE : 12 APRIL 2017**

**P.C. :**

. This civil application seeks condonation of delay of 62 days in filing the First Appeal. For the reasons stated in the civil application, the civil application is allowed and the delay is condoned. Office shall now number the First Appeal.

2 Respondent Nos.1 to 5 waive service. The First Appeal be served on Respondent No.6. The Appellant is also permitted to effect a private service on Respondent No.6 and file an affidavit of service by the next date. The First Appeal to come up for admission on 2 May 2017. It is understood between Counsel that the First Appeal may be disposed of finally on the next date.

3      Learned Counsel for the Appellant offers to deposit the entire decretal amount with upto date interest on or before 2 May 2017. In the premises, there will be stay of the execution of the impugned order till the next date. The warrant of attachment already issued by the executing authority shall not be pressed.

**(S.C. GUPTE, J.)**