

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

**CIVIL APPLICATION NO.3369 OF 2004
IN
REJECTED CASE NO.893 OF 2003**

M/s.Laxmi Travels & Anr. ..Applicants

V/s.

The Divisional Manager,
Oriental Insurance Co. Ltd. & Ors. ..Respondents

Mr.K.S. Bapat for the Applicants.

Ms.Divya Menon i/by Mr.Vidarthi for Respondent No.1.

CORAM : M. S. SONAK, J.

DATE : 31 JANUARY 2017.

P.C.

1. Necessary affidavit of service has already been filed by the applicant in compliance with the directions containing in the order dated 16 January 2017 the applicant has deposited the interest component which according to they comes to Rs.2,02,208.37/- in the Registry. For the reason set out in Civil Application No.3369 of 2004, the order dismissing the Civil Application No.995 of 2002 seeking condonation of delay of one year and 98 days in the institution of the appeal is hereby restored. The Civil Application No.3369 of 2004 is accordingly disposed of.

2. The Civil Application no.995 of 2002 to be placed for consideration on 14 February 2017 on Supplementary Board. In the meanwhile, the applicants as well as respondent Insurance Company to make statement with regard to the deposit/payment of the awarded amount to the claimants.

3. Parties are put to notice that in case delay is condoned on the said date, this Court would proceed to take up the appeal itself for final disposal, taking into consideration the short controversy involved. The parties can circulate decisions which they seek to rely upon before the said date.

(M. S. SONAK, J.)