

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4506 OF 2001
IN
FIRST APPEAL (ST) NO. 8778 OF 2001
AND
FIRST APPEAL (ST) NO. 8778 OF 2001
AND
CIVIL APPLICATION NO. 11 OF 2017**

Gorakhnath Dhondiba Ambekar ...Applicant

Versus

The New India Asurance Co Ltd & Ors ...Respondents

Mr Ratnesh Dube, i/b Ruhiya Ambekari, for Respondents No. 5 to 7.

**CORAM: G.S. PATEL, J
DATED: 2nd August 2017**

PC:-

1. None for the appellant.
2. The appeal is pending since 2001. Respondents Nos. 2, 5, 6, and 7 are served. Notice to respondent no. 4 is returned unserved with the remark that he has passed away. No application is made to bring his heirs and legal representatives on record. There was an amendment permitted by an order dated 12th December 2014. This

was not been carried out. The amendment is required to delete the name of respondent No. 3. Even respondents Nos. 5, 6 and 7 may be the heirs of respondent No. 4 but the necessary amendments nonetheless be made to the appeal. The matter was notified several days ago. It is part of the list to be taken at 3.00 p.m. today.

3. The civil application seeking condonation of delay is dismissed. No costs.

4. Consequently, the first appeal is dismissed.

5. Civil application seeking stay does not survive and is disposed of accordingly.

(G. S. PATEL, J)