

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3250 OF 2017
IN
R.C. NO. 1789 OF 2017
(FIRST APPEAL (ST.) NO. 5815 OF 2017)

The Manager
Shriram General Insurance Co. Ltd. ... Applicant
Vs.
Baban Rambhau Jadhav & Ors. ... Respondents

Mr. Nikhil Mehta i/b. KMC Legal Venture, Advocate for the applicant.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 12th October, 2017.

P.C.:

This Application is moved for restoration of First Appeal which was dismissed by conditional order dated 14th July, 2017 passed by Registrar (Judicial-II).

2. The learned counsel for the applicant submitted that before issuance of notice to other side after filing of the First Appeal, conditional order was passed on 14th July, 2017 for removing office objections within 4 weeks. However, due to oversight, the appellant failed to comply with the order and hence, the Appeal was dismissed. The learned counsel submitted that the appellant/insurance company will remove all the office objections within three weeks from today.

3. The statement made by the learned counsel for the applicant is accepted. In view of the submissions of the learned counsel for the applicant, the conditional order dated 14th July, 2017 of dismissing the First Appeal is hereby set aside. First Appeal is restored to its original file. The office objections are to be removed within three weeks, failing which, the First Appeal shall stand dismissed without further referring to the Court.

4. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)