

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 9212 OF 2018 IN FAST/19780/2018

THE NATIONAL INSURANCE CO. LTD., THR ITS DIVISIONAL
MANAGER, AURANGABAD AND ORS

VERSUS

KAVITA MANOHAR GHODKE ON BEHALF OF HER HUSBAND
MANOHAR RAMBHAU GHODKE

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Advocate for Applicant : Mr. A. B. Kadethankar.
Advocate for Respondent No.1 : Mr.K.B.Jadhav h/f.
Mr.Sandeep B. Gore

...

WITH CA/10588/2018 IN FAST/19780/2018
WITH CA/9214/2018 IN FAST/19780/2018

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CORAM : P. R. BORA, J.

DATED : 23rd AUGUST, 2018.

ORDER :-

1. For the reasons stated in the application, which according to me, are just and sufficient, the delay of 16 days, which has occasioned in filing first appeal is condoned. Accordingly, the civil application stands allowed and disposed of.
2. The appeal be registered in accordance with law.
3. After registration of the appeal, issue notice to the respondents, returnable on 20-09-2018.
4. Mr. Sandeep B. Gore, learned counsel waives service of notice for respondent No.1.

5. After hearing the learned counsel for appellant - Insurance Company and on perusal of impugned Judgment and Award, it is noticed that the present appeal can be disposed of finally at the admission stage.

6. Applicant-appellant to serve the remaining respondents. Notice to indicate that an endeavour will be made to dispose of present appeal at the stage of admission.

7. The application for withdrawal of the amount shall be heard alongwith appeal.

8. It is clarified that, if for any reason the appeal is not heard on the adjourned date, the application for withdrawal of amount will be considered on its own merits.

9. Call for record and proceedings.

10. The appellant Insurance Company is permitted to serve the unserved respondents even by way of RPAD notice.

[P.R. BORA, J.]

rrd.