

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

**CIVIL APPLICATION STAMP NO. 2597 OF 2018
IN
FIRST APPEAL STAMP NO. 16503 OF 2017**

The New India Assurance Company Ltd. ... Applicant

In the matter between

The New India Assurance Company Ltd. ... Appellant

Versus

Laxmi Mallappa Alias

Mallinath Sontakke and others ... Respondents

.....

Ms Shalini Shankar for Applicant.

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CORAM : K. K. SONAWANE, J.

DATE : 13th AUGUST, 2018.

P. C.:

1. Not on board. Upon mentioning, taken on production board.
2. Heard learned Counsel for the applicant-insurance company.
3. Learned Counsel submits that due to unavoidable circumstances, office objections could not be removed within the stipulated period, which resulted into refusal of registration of First Appeal Stamp No.16503 of 2017. Learned Counsel undertakes to remove office objections within three weeks.

4. In view of above submission, there is no impediment to afford one more opportunity to the applicant-insurance company to remove office objections to get the First Appeal registered for substantial justice.

5. Hence, civil application stands allowed in terms of prayer clauses (a) and (b). The impugned order dated 13th October, 2017, passed by the Registrar – Judicial-II is hereby recalled. The delay caused for filing the present application is also stands condoned. The proceeding of First Appeal Stamp No. 16503 of 2017 along with civil application be restored to its original stage. Registry to take requisite steps for further process.

6. The applicant-insurance company shall remove office objections within a period of three weeks as stated above. Failure to which, the present order shall stand vacated automatically without further reference to this Court.

7. The civil application stands disposed of in above terms.

(K. K. SONAWANE, J.)