

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

**Civil Application in FA NO. 2784 OF 2018
IN
CIVIL APPLICATION NO. 497 OF 2013
IN
First Appeal (ST) NO. 2146 OF 2013**

United India Insurance Co. Ltd. ... Applicant
Versus
Pravin Varwaji Chawada and another ... Respondents

**WITH
Civil Application in FA NO. 2785 OF 2018
IN
CIVIL APPLICATION NO. 495 OF 2013
IN
First Appeal (ST) NO. 2145 OF 2013**

United India Insurance Co. Ltd. ... Applicant
Versus
Jaisingh Sahebrao Dhage and another ... Respondents

**WITH
Civil Application in FA NO. 2786 OF 2018
IN
CIVIL APPLICATION NO. 518 OF 2013
IN
First Appeal (ST) NO. 2144 OF 2013**

United India Insurance Co. Ltd. ... Applicant
Versus
Lala Ganpat Chavan and another ... Respondents

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Mr. Amol Gatne for Applicant.
Mr. T.J. Mendon for Respondent No.1.

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CORAM : K. K. SONAWANE, J.

DATE : 8th AUGUST, 2018.

P. C.:

1. Heard learned Counsel for the applicant-insurance company and learned Counsel for respondent-original claimant.
2. Learned Counsel for the applicant-insurance Company submits that due to unavoidable circumstances, steps could not be taken against unserved respondent No.2 which resulted into dismissal of the civil application against respondent No.2. Learned Counsel requested to restore the proceeding against respondent No.2 at its original stage.
3. In view of reasons mentioned in the application and the circumstances on record, application deserves to be allowed.
4. Accordingly, civil application stands allowed. The impugned order passed by the Registrar Judicial-II is hereby recalled. The

proceedings of appeal with civil application against respondent No.2 is hereby restored at its original stage. The applicant to take steps against respondent No.2 within a period of two weeks after restoration of the proceedings. Registry to take necessary steps for further process.

5. Accordingly, civil applications stand disposed of.

(K. K. SONAWANE, J.)

Shridhar
Marutirao
Sutar

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