

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

**CIVIL APPLICATION NO.4279 OF 2018
IN
FIRST APPEAL NO.1116 OF 2015**

The New India Assurance Co. Ltd. .. Applicant

V/s.

Varuna Kapoor .. Respondent

Mr.Devendranth Joshi for the applicant

Mr.Abhijeet A. Joshi for the respondent no.1 to 3

Ms.Deepa Ahuja with Ms.Debashree Mandpe I/b M/s.Ganesh and
Co. for the respondent no.6

**CORAM: K.K. TATED &
N. J. JAMADAR, JJ.**

DATED : DECEMBER 10, 2018

P.C. :

1 Not on board. Mentioned. Taken on board.

2 Heard the learned counsel for the parties.

3 The learned counsel for the Applicant submits that they preferred the present Civil Application for restoration of First Appeal No.1116 of 2015 against Respondent no.5 which was dismissed by order dated 27.06.2017 passed by learned Registrar (Judicial-II).

4 The learned counsel for the Applicant submits that they learnt that Respondent no.5 is dead on the basis of Civil Application No.4274 of 2018 filed by some of the Claimants. He submits that in view of subsequent development, Applicant may be permitted to withdraw the present Civil Application with liberty to take appropriate steps. To that effect, he has given in writing. Same is taken on record and marked "X" for its identification. Same is accepted.

5 Civil Application stands disposed of as withdrawn with liberty as prayed. No order as to costs.

(N. J. JAMADAR, J)

(K.K. TATED, J.)