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

**CIVIL APPLICATION NO.3995 OF 2018
IN
R.C. NO.215 OF 2017**

Bajaj Allianz General Insurance
Co.ltd ... Applicant.

V/s.
Shri.Surji Popatlal Gada
and ors ... Respondents

Mr. Devendranath S. Joshi, for the applicant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 1st NOVEMBER, 2018.

P.C. :

1] Heard learned counsel for the applicant Insurance company.

2] Learned counsel for the applicant submits that the appeal came to be dismissed as the statutory deposit of Rs.25,000/-was not deposited and the Court fee was not paid.

3] It is submitted that the challan for the payment of the Court fee was generated before the dismissal of the appeal. However, due to inadvertence the appellant could not tender the same in Court.

4] As regards statutory deposit, it is submitted that the Demand Draft for statutory deposit is ready and he will be depositing

the same in the Court today itself.

5] In view thereof, application is allowed by condoning the delay in filing this application and the Appeal is restored to its original stage subject to compliance of this order by today itself.

6] Stand over to 02.11.2018.

[DR.SHALINI PHANSALKAR-JOSHI, J.]