

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.O. NO.527/2018 AND M.C.A. NO.100/2018

IN

C.A.F. NO.3051/2016

IN

FIRST APPEAL STAMP NO.10344/2016

The Oriental Insurance Company Ltd., Nagpur

..Vs..

Bhushan Raosaheb Nimbhorkar and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mrs. Mrunal Naik, Advocate for the applicant.

CORAM : Z.A. HAQ, J.

DATE : 22.3.2018.

Heard.

The learned Advocate for the applicant / appellant has pointed out that the Civil Application No.527/2018 is for condonation of delay in filing restoration application as first appeal was dismissed against the non-applicant Nos.1 and 2, and Miscellaneous Civil Application No.100/2018 is for restoration of Civil Application No.3051/2016. It appears that this was not noticed when the order was passed on 26th February, 2018. The order passed on 26th February, 2018 on Civil Application No.3051/2016 and Civil Application No.823/2018 is recalled.

Accepting the explanation given in the application and miscellaneous civil application, delay of

62 days in filing Miscellaneous Civil Application No.100/2018 is condoned, Civil Application No.527/2018 and Miscellaneous Civil Application No.100/2018 are **allowed** accordingly. No costs.

C.A.F. NO.3051/2016

Issue notice to the non-applicant Nos.1 and 2, returnable on 10th July, 2018.

C.A.F. NO.823/2018

For the reasons stated in the application, the appellant is permitted to serve the respondent Nos.1 and 2 by substituted service by publishing the notice / summons in one Marathi newspaper having wide circulation at Buldhana and one Marathi newspaper having wide circulation at Aurangabad.

The appellant to take steps within four weeks.

The civil application is **allowed** accordingly.
No costs.

JUDGE