

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

CIVIL APPLICATION (CAO) NO.571 OF 2018
WITH
MISC. CIVIL APPLICATION (ST) NO. 5950 OF 2018
IN
FIRST APPEAL NO. 1149 OF 2007

(TANABAI KHANDU JAGTAP, THR. LRS. & OTH...VS.. NEW INDIA INSURANCE CO. LTD. & ANR.)

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

Court's or Judge's orders

Shri P.S.Sadavarte, Advocate for Appellant.
Ms Anita Mategaonkar, Advocate for Respondent No.1.

CORAM : Z.A.HAQ, J.
DATED : AUGUST 21, 2018.

None for the respondent No.2, though served.
Heard Shri P.S. Sadavarte, advocate for the applicant and Ms
Anita Mategaonkar, advocate for the respondent No.1.

Considering the facts of the case and accepting
the explanation given in the application, delay of 1526 days
in filing Misc. Civil Application Stamp No. 5950 of 2018 is
condoned.

For the same reasons, as recorded above, the
order passed on 6th December, 2013 is recalled and the first
appeal is restored.

The civil application and Miscellaneous Civil
Application are allowed accordingly. No costs.

FIRST APPEAL NO. 1149/2007.

Ms Anita Mategaonkar, advocate waives notice
for the respondent No.1.

The respondent No.2 is already served with copy of Civil Application No.571 of 2018 and is aware about pendency of these proceedings. Further notice to respondent No.2 is not necessary. However, the learned advocate for the appellant shall serve copy of this order on the respondent No.2 by Speed Post A.D. and file affidavit on record within four weeks.

JUDGE

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