

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

914 CIVIL APPLICATION NO.811 OF 2013 IN FAST/17554/2011

THE NEW INDIA ASSURANCE CO LTD.
VERSUS
NITIN SHIVAJI KARKHILE AND ORS.

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Advocate for Appellants : Dhananjay P. Deshpande
Advocate for Respondent No.1 : Mr. A.M. Gholap
Advocate for Respondent No.2 and L.Rs. of Respondent No.2 : Mr.
D.R. Markad

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CORAM : P.R. BORA, J.

DATED : 08th FEBRUARY, 2019

PER COURT:-

1. Heard the learned counsel appearing for the parties.
2. It appears that since the order passed by this Court on 15.11.2011 in CA No.8612/2011 was not complied with, the said application stood dismissed against respondent no.2. The present application is filed for setting aside the said order being legal heirs of respondent no.2 who are already taken on record.
3. In view of the above, the order dated 15.11.2011 is recalled. The application stands restored against respondent no.2 since his L.Rs. are already taken on record.
4. Civil Application stands disposed of.

**(P.R. BORA)
JUDGE**