

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

**CIVIL APPLICATION NO.12301 OF 2018
IN FAST/9013/2010 WITH CA/5349/2010 IN
FAST/9013/2010 WITH CA/5350/2010 IN
FAST/9013/2010**

TRIVANIBAI MANOHAR DESHMUKH (DIED) THR LRS
ANANDRAO
VERSUS
THE ORIENTAL INSURANCE CO LTD THROUGH DIVNL
MANAGER AND ORS

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Mr.S.S. Shinde, Advocate for applicants.

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CORAM: V.L. ACHLIYA,J.

DATE : 27.06.2019

ORAL ORDER:

This application is filed by the heirs of deceased Respondent Nos.4 and 5 in an appeal along with the delay condonation application presented by the appellant-Insurance Company. Since the appellant-Insurance company has failed to bring on record the heirs of Respondent Nos.4 and 5, the applicants have suo-moto appeared in the matter and filed this application.

2. Considering the reasons assigned, the application is allowed in terms of prayer clauses "A", "B" and "C".

3. The appellant - Insurance Company is directed to carry out the necessary substitution in memo of appeal as well as application seeking condonation of delay within two weeks from today.

4. The application stands disposed of in above terms.

[V.L. ACHLIYA]
JUDGE

SGA