

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

**23 CIVIL APPLICATION NO.13710 OF 2019
IN FA/1382/2013**

**ICICI LOMBARD GENERAL INSURANCE COMPANY LTD.
VERSUS
AMOL SUNDAR JADHAV AND ANOTHER**

...
Advocate for Applicant : Mr. Choudhari Abhijit G.
Advocate for Respondent : Mr. K.N. Lokhande

...
CORAM : MANGESH S. PATIL, J.

DATE : 26.11.2019

PER COURT :

Heard.

2. Issue notice to the respondents, returnable within 8 weeks.
Learned advocate Mr. Lokhande waives service for the respondent no.1.

3. The learned advocate for the appellant which is an insurance company submits that in fact there are the instructions to him to withdraw the First Appeal but he is not in a position to withdraw it. As the First Appeal has been dismissed in default, he therefore request that if the First Appeal is restored he would be able to withdraw it before the Lok Adalat and claim refund of the court fees.

4. In view of what has been stated on behalf of the appellant insurance company , the application is allowed. The First Appeal is restored. The matter be placed before the Lok Adalat on 14.12.2019.

(MANGESH S. PATIL, J.)