

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

**CIVIL APPLICATION NO. 13581 OF 2019
IN
REJECTED CASE NO. 626 OF 2019
IN
FIRST APPEAL STAMP NO. 7734 OF 2017**

**M/S NATIONAL INSURANCE CO. LTD
VERSUS
VISHWANATH BHIMRAO KAPSE AND OTHERS**

Advocate for Applicant : Mr. V. N. Upadhye.
Advocate for Respondent No. 1 : Mr. R.I. Wakade.

**CORAM : MANGESH S. PATIL, J.
DATE : 03.12.2019**

PER COURT :

Heard.

2. Issue notice to respondents. Learned advocate Mr. Wakade, waive service for respondent No. 1.

3. For the reasons mentioned in the application, the impugned order is quashed and set aside and the appeal is restored subject to the condition that the appellant / Insurance Company takes necessary steps within three weeks.

(MANGESH S. PATIL, J.)