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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.444 OF 2019
IN
R.C. NO.84 OF 2017**

The Oriental Insurance Co.Ltd. ... Applicant.
V/s.
Anusaya Hanmant Mahapure and ors ... Respondents
Ms. Shalini Shankar, for the applicant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 29th JANUARY, 2019.

P.C. :

1] This application is for restoration of the appeal which came to be dismissed for non payment of Bhatta charges within the stipulated time.

2] Learned counsel for the applicant submits that though there is delay of about 9 years, the decree is yet not executed by the respondent.

3] In view of the statement made by learned counsel for applicant and for the reasons stated in the application, the delay is condoned. Application is allowed. The appeal is restored to it's original file subject to applicant's making payment of Bhatta charges within a period of six weeks from today.

4] On failure of the applicant to do so, application will stand automatically dismissed without further reference to this Court.

[DR.SHALINI PHANSALKAR-JOSHI, J.]