

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

**CIVIL APPLICATION NO.4738 OF 2010
WITH
CIVIL APPLICATION NO.2821 OF 2014
IN
FIRST APPEAL (STAMP) NO.31548 OF 2010**

Bajaj Allianz General Insurance Co.
Ltd.

...Applicant/Appellant

Versus

Sugrivilal Ramchandra Tiwari and
Ors.

...Respondents

.....

Mr. Shrishailya S. Deshmukh for the Applicant.
None for the Respondents.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 26th AUGUST, 2019.

P.C.:-

The civil application for condonation of delay has already been dismissed as against the Respondent Nos.1 to 4, who are the original claimants. No steps have been taken for recall of the said order and /or to restore the application against these Respondents, who are the main contesting parties. The Respondent No.5 is the owner/employer. The application as well as the appeal cannot be heard in the absence of the original claimants.

2. Under the circumstances, the Civil Application No.4738 of 2010 stands dismissed. Consequently, the Appeal is also dismissed

3. In view of above, the Civil Application No.2821 of 2014 does not survive and hence stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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