

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

**CIVIL APPLICATION NO. 2374 OF 2018
IN
FIRST APPEAL (ST). NO. 15497 OF 2017**

Bharti Axa general Insurance Co. Ltd. Applicant

IN THE MATTER BETWEEN:

Bharti Axa general Insurance Co. Ltd. Appellant.

Vs.

Sangita Dashrath Kumbhar And Others. Respondents.

.....
Mr. Rahul Mehta i/b KMC Legal Venture, Advocate for Applicant.
Mr. G.S. Jadhav, Advocate for Respondent Nos. 1 to 4.
.....

**CORAM : K.K.TATED, J.
DATED : SEPTEMBER 24, 2019**

PC.

- 1 Heard Learned Counsel for the parties.
2. By this Civil Application, the Insurance Company is seeking dispense with the service on Respondent No. 5.
3. Considering the submission made by the Learned Counsel for the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing this Civil Application at their costs and consequences. Hence, the following order:

- a. Civil Application is allowed in terms of prayer clause (a) at the cost and consequences of the Applicant, which reads thus:

“a. That the service of the Court Notice be allowed to be dispensed for service upon Respondent No.5 be deleted from the cause title of the Civil Applications and the First Appeal and matter be placed before the Hon’ble Court for hearing as all the contesting Respondents i.e. Respondent Nos. 1 to 4 have already been served in the matter.”

- b. Amendment to be carried out on or before 19/10/2019.
- c. Civil Application stands disposed of accordingly.
- d. No order as to costs.

(K.K.TATED, J.)