

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4631 OF 2016
WITH
CIVIL APPLICATION NO. 4632 OF 2016
WITH
CROSS OBJECTION (ST.) NO. 4752 OF 2017
IN
FIRST APPEAL (ST.) NO. 30932 OF 2016

The New India Assurance Co. Ltd.
Through Centralized Motro TP
Claims Hub.

...Applicant/
Appellant

V/s.

Mr. Julius T.J. Freitas & Ors.

...Respondents

WITH
CIVIL APPLICATION NO. 3616 OF 2019
IN
FIRST APPEAL (ST.) NO. 30932 OF 2016

Mr. Julius T.J. Freitas

...Applicant

In the matter of between :-

The New India Assurance Co. Ltd.
Through Centralized Motro TP
Claims Hub.

...Appellant

V/s.

Mr. Julius T.J. Freitas & Ors.

...Respondents

Mr. Devendranath S. Joshi for the Applicant.

Mr. S.R. Singh i/by M/s. S.R. Singh & Co. for the Respondent Nos.1,
2, (2A) and 2(B) and cross objectionist in XOBST/4752/17.

CORAM : R.D. DHANUKA, J.
DATE : 11TH NOVEMBER, 2019.

P.C. :-

1. Mr.Joshi, learned counsel appearing for the applicant states that no reliefs are pressed against the respondent no.3 and thus no notice is required to be served upon the respondent no.3. Statement is accepted. Learned counsel appearing for the respondent nos.1, 2, (2A) and 2(B) waives service. Heard learned counsel for the parties and have perused the averments made in the civil application. The applicant has explained delay of 26 days in filing the first appeal.

2. The Civil Application No.4631 of 2016 is made absolute in terms of prayer clause (8-a). There shall be no order as to costs.

(R.D. DHANUKA, J.)