

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

**INTERIM APPLICATION NO.1 OF 2019
IN
CROSS OBJECTION (STAMP) NO.14644 OF 2019
(REJECTED CASE NO.1807 OF 2019)
IN
FIRST APPEAL NO.263 OF 2018**

Mrs. Brinda Seetharam and Ors. ...Applicants

Versus

Mrs. Asha Mehta and Ors. ...Respondents

...

Mr. Saumen S. Vidyarthi for the Applicants with Ms Ruchika Dave.
Mr. Rahul Mehta i/b. M/s. KMC Legal Venture for the Respondents.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 15th OCTOBER, 2019.

P.C.:-

By this application, the Applicants have sought to condone the delay of 10 days in filing application for restoration of Cross Objection (stamp) No.14644 of 2019, which was dismissed for non removal of office objections.

2. The learned counsel for the Applicants states that main objection was non service of notice on the Insurance Company. Mr. Mehta, the learned counsel for the Insurance Company has already

waived service and put in his appearance on behalf of the Insurance Company. Hence, said objection does not survive. As regards the other objections, the learned counsel for the Applicant states that objections will be removed in the course of the day. Statement is accepted. Since the dispute is basically between the original claimants and the Insurance Company, service to the other Respondents is dispensed with.

3. In view of the statement made by the learned counsel for the Applicants and the reasons stated in the application, the delay is condoned. The Cross Objection (stamp) No.14644 of 2019 is restored to file.

4. The civil application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)