

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 12474 OF 2021  
IN  
CIVIL APPLICATION NO. 14050 OF 2017  
IN  
FIRST APPEAL STAMP NO. 17227 OF 2017**

Ravi @ Ravindra Babasaheb Najan ... Applicant  
Versus  
M/s Ajantha Pharma Ltd and others ... Respondents  
....  
Mr. S. A. Gaikwad, Advocate for applicant  
Mr. V. N. Upadhye, Advocate for respondent No.3  
....

**CORAM : R. G. AVACHAT, J.**

**DATED : 25<sup>th</sup> NOVEMBER, 2021**

**PER COURT :-**

. This Court, vide order dated 04.10.2019 passed the conditional order that, if complete and detailed address of respondent No.2 could not be furnished within time specified, the application would stand dismissed as against him.

2. Since the condition has not been complied with, the claim petition stood dismissed against respondent No.2.

3. Since it being appeal for enhancement of compensation filed by the original claimants and the driver of the offending vehicle

is primarily responsible to pay amount of compensation, if any, his presence in the matter is necessary and therefore, order dated 04.10.2019 is hereby recalled.

4. Re-issue notice to respondent No.2, returnable on 27<sup>th</sup> January, 2022.

5. In addition to the Court process, private service is permitted.

6. *Hamdust* allowed.

[ R. G. AVACHAT, J. ]

SMS