

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3559 OF 2021

IN

FIRST APPEAL NO. 75 OF 2017

WITH

FIRST APPEAL NO. 75 OF 2017

National Insurance Company Limited,
Mumbai

...Applicant/
Appellant

Versus

Smt. Sangita Nilesh Shelar and Ors.

...Respondent/
Defendant

Mr. Nikhil Mehta i/by KMC Legal Venture, for the
Applicant/Appellant.

CORAM : N. J. JAMADAR, J.

DATE : 3rd DECEMBER, 2021.

P.C.:

1. Heard the learned counsel for the applicant.
2. This application is preferred to set aside the order dated 25th June, 2019 passed by the Registrar, (Judl.II) whereby the appeal came to be dismissed for failure to take steps qua unserved respondent Nos.1 to 5.
3. For the reasons assigned in the order and to advance the cause of justice, the application stands allowed.

4. The delay in taking out this application stands condoned.
5. The order passed by the Registrar, (Judl.II), dated 25th June, 2019 stands set aside.
6. The appeal stands restored to file.
7. Interim Application is disposed of accordingly.

FIRST APPEAL NO. 75 OF 2017

1. The learned counsel for the appellant seeks time to take out an appropriate application to effect substituted service for respondent Nos.1 to 5.
2. Let the said application be filed within a period of four weeks.
3. The appeal be listed on 10th January, 2022.

(N. J. JAMADAR, J.)