

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3483 OF 2021

IN

FIRST APPEAL NO. 1783 OF 2019

Bajaj Allianz General Insurance Company Limited. ...Applicant/
Appellant

Versus

Shri.Dattatraya@Dattaram Ganpat Kadam
(Deceased) Thr. Lrs.
Smt.Vanita Dattatraya Kadam. And Ors. ...Respondents

Ms. Yogita M. Deshmukh, for the Applicant/Appellant.

CORAM : N. J. JAMADAR, J.

DATE : 25th NOVEMBER, 2021

P.C.:

1. Heard the learned counsel for the applicant-appellant.
2. This application is preferred to set aside the order dated 11th June, 2019, whereby the appeal came to be dismissed by a peremptory order for default in furnishing private paper book within one year thereof.
3. The learned counsel for the applicant submits that the applicant intends to withdraw the appeal after restoration and on account of reasons ascribed in Para-4 of the application, the delay in taking out the application may be condoned.
4. Since the appellant desires to withdraw the appeal after

restoration, the application stands allowed in terms of prayer clauses 'a' & 'b'.

5. Upon restoration, the appeal stands disposed of as withdrawn in terms of prayer clause 'c'.

(N. J. JAMADAR, J.)