

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3100 OF 2019
(For restoration)
FIRST APPEAL (ST.) NO. 18436 OF 2013

United India Insurance Co. Ltd.

... Applicant/
Appellant

Vs.

1. Smt. Shkuntala Sadashiv Gaigawale
& 4 Ors.

...Respondents

Mr.Amol Gatane for applicant.

Mr. T.J. Mendon, Advocate for respondents.

CORAM : N. J. JAMADAR, J.

DATE : 7th OCTOBER , 2021

P.C.:

1. Heard the learned counsels for the applicant and respondents.
2. This is an application to restore Civil Application No. 2348 of 2013 and Civil Application No. 2349 of 2013 in First Appeal (St.) No. 18436 of 2013 qua the respondent No.4, which came to be dismissed for default in taking the steps qua the respondent No.4, by order dated 8th November 2017.
3. For the reasons assigned in the application and to advance the cause of substantive justice, the delay in taking out the civil application stands condoned and the civil application also stands allowed.

4. The order passed by the Registrar (Judicial) on 8th November 2017 stands set aside.
5. Civil Application No. 2348 of 2013 and Civil Application No. 2349 of 2013 stand restored to file.
6. The appellant shall take necessary steps to serve the respondent No.4 within a period of four weeks.

The application stands disposed of.

(N. J. JAMADAR, J.)