

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

**CIVIL APPLICATION NO. 363 OF 2009
WITH
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IN
FIRST APPEAL (ST.) NO. 1766 OF 2009
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The New India Assurance Co. Ltd.	 Applicant
v/s.	
Yakub Abdul Karim Khan and anr.	 Respondents

None present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 06th SEPTEMBER, 2022.

P. C. :-

. These are the Applications for condonation of delay of 167 days in filing the Appeal and for Stay.

2. Proceedings have already been dismissed against Respondent No.1 (original claimant no.1) in petition under section 166 of Motor Vehicles Act and have abated as against Respondent No.3, the insurer. No steps have been taken to serve the Respondent No.2 despite opportunity given. None present for the Appellant/Applicant though the matter was listed under the caption of dismissal. It appears that

the Appellant is not interested in pursuing the Appeal. Hence, the Civil Applications are dismissed for non-prosecution. Consequently, registration of Appeal is rejected.

**PREETI
H JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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