

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

INTERIM APPLICATION NO. 889 OF 2022
IN
CIVIL APPLICATION NO. 769 OF 2019
IN
FIRST APPEAL (ST) NO. 3667 OF 2019

Reliance General Insurance Co. Ltd.
Mumbai ..Appellant/Applicant.

v/s.

Shri Abu Ubada Mohd. Naeem & Anr. ..Respondents

Ms. Shalini Shankar for the Appellant/Applicant.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 25th JULY, 2022.**

P.C.

1. By this application the applicant has sought to condone the delay and to restore the appeal which was dismissed for non compliance of conditional order dated 14.2.2020.

2. The records reveal that by order dated 14.02.2020 in CAF No. 769 of 2019, four weeks time was granted to the Applicant to take steps to serve the unserved respondents no.1 and 2. Learned Counsel for the Applicant states that due to outbreak of COVID 19 pandemic, the applicant could not take steps within the stipulated time.

3. Considering the reasons stated in the application, which in my

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considered view constitute sufficient grounds, order dated 14.02.2020 is set aside.

4. Learned Counsel for the Applicant states that steps will be taken to serve Respondent No.1 within two weeks. Considering the said statement, and in view of the reasons stated in the application, which in my considered view constitute sufficient grounds, the delay is condoned.

5. Appeal is ordered to be restored to the file. Applicant to take steps to serve Respondent No.1.

6. IA/889/2022 and CAF/769/2019 stand disposed of.

(ANUJA PRABHUDESSAI, J.)