

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO.2478 OF 2022

IN

FIRST APPEAL NO.291 OF 2018

{National Insurance Company Limited ..V/s.. Vaishali Wd/o Mahendra
Kadam and Ors. and Ors.}

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms G. Venkatraman, Advocate for the Applicant/Appellant.
Ms A. Timale, Adv. h/f. Shri K. S. Motwani, Advocate for the Respondents No.1
to 7.

CORAM : ABHAY AHUJA, J.

DATE : 10th NOVEMBER, 2022.

. This is an application seeking deletion of Respondent No.8 from the array of the Respondents inasmuch as the Tribunal itself had dismissed the claim against Respondent No.8, who was original Respondent No.1 i.e. the driver of the offending vehicle.

2. Learned counsel for Respondents No.1 to 7 has no objection, if the application is allowed.

3. Having heard learned counsel and having perused the application, let the name of Respondent No.8 be deleted from the array of Respondents.

4. Application accordingly stands allowed and disposed of.

CIVIL APPLICATION (F) NO.2477 OF 2022.

5. This is an application seeking service to Respondent No.9 by effecting paper publication under Order V Rule

20 of the Code of Civil Procedure, 1908, as Respondent No.9 could not be served even after attempting to serve by regular mode on the last known address.

6. Learned counsel for Respondents No.1 to 7 has no objection, if the application is allowed.

7. Having heard learned counsel and having perused the application, let service to Respondent No.9 be effected by way of paper publication in the newspaper circulated in the locality.

8. The application accordingly stands allowed and disposed.

CIVIL APPLICATION (F) NO.2479 OF 2022.

9. This is an application seeking to bring on record the order dated 21.02.2019, passed by the Chief Judicial Magistrate, Bhandara, whereby the proceedings against the driver has been dropped.

10. Learned counsel for Respondents No.1 to 7 has no objection, if the application is allowed.

11. Let the said order dated 21.02.2019 be brought on record. The application accordingly stands allowed and disposed.

CIVIL APPLICATION (F) NO.2480 OF 2022.

12. This is an application seeking dispensation of private paper-book.

13. Learned counsel for Appellant-Insurance Company would submit that the entire record and proceedings of the

Claim Petition No.1 of 2012 has already been received, which contains the depositions of the witnesses as well as documents and as such it may not be necessary to file a private paper-book.

14. Learned counsel for Respondents No.1 to 7 has no objection if the filing of private paper-book is dispensed with.

15. Having heard learned counsel and having perused the application, the application is allowed. The filing of private paper-book stands dispensed with. The application stands disposed as above.

FIRST APPEAL NO.291 OF 2018.

16. At the joint request of the learned counsel appearing for the parties, list on **23.11.2022**.

(JUDGE)

TAMBE