

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

INTERIM APPLICATION NO.13235 OF 2023

IN

FIRST APPEAL (ST) NO.4575 OF 2020

BAJAJ ALLIANZ GENERAL INSURANCE CO.LTD.)...APPLICANT

V/s.

PANDURANG TUKARAM POWAR AND ORS.)...RESPONDENTS

Mr.Gaurav Sharma i/b. Mr.S.S.Diwan, Advocate for the Applicant.

None for the Respondents.

CORAM : ABHAY AHUJA, J.

DATE : 7th JULY 2023

P.C. :

1. This is an Interim Application seeking restoration of the First Appeal that came to be dismissed for non-removal of office objections. Learned Counsel would draw the attention of this Court to order dated 29th November 2021 of the Registrar (Judicial-II) of this Court to submit that the Appeal came to be dismissed even before it was served on the other side, and therefore, the application be allowed.

2. It is observed that there is a delay of 1 year 182 days in filing of this application. Learned Counsel draws the attention of this Court to paragraphs 3 to 6 of the application in support of his contentions.

3. Having heard the learned Counsel and having perused the application, the delay of 1 year 182 days be condoned, subject to payment of costs of Rs.5,000/- to Kirtikar Law Library within a period of two weeks from today.
4. The application stands disposed in the above terms.

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5. Let the First Appeal be registered and let the application for withdrawal be filed after registration of the First Appeal.

(ABHAY AHUJA, J.)