

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13094 OF 2023

IN

FIRST APPEAL (ST) NO.16859 OF 2019

THE NEW INDIA INSURANCE CO. LTD.)...APPLICANT

V/s.

MR.ARVIND SHIVPUJAN GIRI AND ORS.)...RESPONDENTS

WITH

INTERIM APPLICATION NO.4712 OF 2023

IN

FIRST APPEAL (ST) NO.16859 OF 2019

WITH

CIVIL APPLICATION NO. 2374 OF 2019

IN

FIRST APPEAL (ST) NO.16859 OF 2019

Mr.Himanshu Takke i/b. Mr. Milind More, Advocate for the Applicant in IA/13094/2023, CAF/2374/2019 and for the Appellant.

Ms.Kiran Yadav i/b. Mr.A.M.Gokhale, Advocate for the Respondent No.1 in FA and for the Applicant in IA/4712/2023.

CORAM : ABHAY AHUJA, J.

DATE : 5th JULY 2023

PC. :

1. This is an application seeking restoration of the Civil Application no.2374 of 2019 that was dismissed against Respondents No.2 and 3 as

Respondents No.2 and 3 were unserved. Learned Counsel for the Respondent no.1, who appears in the matter, has no objection if the application is allowed. There is also a delay in the matter.

2. Having heard the learned Counsel and having perused the application, the delay in filing the Civil Application no.2374 of 2019 is condoned and the said Civil Application is restored as against Respondents no.2 and 3.

3. The application is made absolute in terms of Prayer Clauses (a) and (b).

CIVIL APPLICATION NO. 2374 OF 2019

4. Let Respondents no.2 and 3 be served with the delay application within a period of four weeks.

5. List on **2nd August 2023**.

(ABHAY AHUJA, J.)