

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

**INTERIM APPLICATION NO. 517 OF 2022
IN
FIRST APPEAL NO. 2264 OF 2011**

The New India Assurance Co. Ltd.Applicant
Versus
Mr. Rafiq Shafi Mohammed Shaikh & Ors.Respondents

Mr. Rahul Mehta i/b KMC Legal Venture, for the Applicant.
Mr. Sumedh Modak i/b Vijay Killedar, for the Respondents.

CORAM : S. G. DIGE, J.

DATE : 31st JANUARY, 2023.

P.C. :

1. Heard learned counsel for the Applicant.
2. Learned counsel for the Applicant submits that appeal of the applicant is dismissed. As applicant could not comply the order passed by this Court dated 17 September, 2019 (**Coram, K. K. Tated, J.**).
3. Considering the submission of learned counsel for the Applicant and reasons mentioned the application, application is allowed. The order passed by this Court dated 7 September, 2019 is recalled.
4. Appeal is restored.

5. Applicant to file paper book within eight weeks from today.

(S. G. DIGE, J.)