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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9779 OF 2024
IN
FIRST APPEAL NO.699 OF 2016

Bajaj Allianz General Insurance Co. Ltd.,

APPLICANT

VERSUS

Premlabai @ Premlata Chandrabhan Shirsath & Ors RESPONDENTS

.....
Mr. Mohit R. Deshmukh, Advocate for the applicant
Mr. S. S. Patil, Advocate for respondents No.1 to 5
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 6th SEPTEMBER, 2024

ORDER :

1. Since the applicant / original appellant - Insurance Company failed to take steps to serve respondent No. 6- driver, entire first appeal filed by it is dismissed for want of prosecution.
2. Learned advocate for the Insurance Company submits that as involvement of the vehicle is challenged in the first appeal, he may be permitted to delete respondent No. 6 - driver from the array of respondents in the first appeal as well as present civil application.
3. Permission granted. Respondent No.6 is permitted to be deleted from the array of respondents in first appeal as well as

from present civil application. Deletion be carried out during the course of the day.

4. Civil application is allowed. First Appeal is restored to its position.

5. List First Appeal No. 699 of 2016 for further consideration on 3rd October, 2024.

**[NITIN B. SURYAWANSHI]
JUDGE**