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21-CA-12422-2024

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**21 CIVIL APPLICATION NO. 12422 OF 2024
IN FA/2847/2024**

Sujata Suresh Bhosale And Ors

VERSUS

The Branch Manager Iffo Tokio General Insurance Co Ltd And Ors

WITH

**CIVIL APPLICATION NO. 6304 OF 2024
IN FA/2847/2024**

...

Mr. P. S. Chavan for Petitioner.

Mr. Swapnil S. Rath, Advocate for Respondent.

**CORAM : KISHORE C. SANT, J.
DATE : 26th NOVEMBER 2024**

PC :-

1. After hearing for some time and in view of the contention, this Court finds that as to leading of secondary evidence in respect of intimation given by the Insurance Company to the owner of the vehicle about dishonoured of cheque and the receipt.
2. It is the contention of the respondent that the secondary evidence was produced only on granting permission to lead secondary evidence. This position is disputed by the learned Advocate for the original claimant. He submits that the Court has relied only on the photo copies of the intimation and receipt of such intimation and therefore, those cannot be relied upon.
3. In view of the same, this Court finds that, it is necessary to call for record and proceedings before passing any order.

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4. Call for record and proceedings.
5. Stand over to 21st January 2025.

[KISHORE C. SANT, J.]

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