

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO.125 OF 2023

IN

FIRST APPEAL NO.103 OF 2023

**BAJAJ ALLIANZ GENERAL INSURANCE
COMPANY LTD THR AUTH. SIGNATORY
DGVIJAY D. PARAB**

... APPLICANT

Versus

**ROSELINE ANTONETTE MENDES AND 5
ORS**

... RESPONDENTS

Mr Akshay Naik, Advocate for the Applicant.

CORAM:- M. S. SONAK, J.

DATED :- 1st March, 2024

P.C.:

Mr A. Naik, learned counsel for the Applicant states that the entire awarded amount along with interest has been deposited by the Applicant/Insurance Company.

2. Accordingly, the ad-interim order granted on 04.01.2024 is hereby confirmed.

3. This matter is not being pursued diligently. Despite opportunities, no prompt steps are being taken. It is only after the orders are made by this Court the steps are taken. However, despite this Court's order dated 16.02.2024, it is found that no steps are taken

to serve the unserved Respondent Nos. 1 to 6.

4. Mr A. Naik states that the steps will positively be taken within a week from today. If no steps are taken within a week, the appeal to stand dismissed for non-prosecution with liberty to the claimants to withdraw the deposited amount unconditionally.

5. In terms of this Court's order dated 04.01.2024, the paper book in this matter was to be prepared within two months. Mr Naik states that the paper book charges will be paid within one week from today without waiting for intimation from the registry. He states that he will pursue the preparation of the paper book so that there is no delay.

6. The Civil Application No.125 of 2023 is disposed of.

7. Place the First Appeal No. 103 of 2023 for final hearing on 14.03.2024, first on board subject to overnight part-heard matters. This is irrespective of whether the paper book is prepared or not. The Registrar (J) should at least ensure that the records and proceedings are available.

M. S. SONAK, J.