

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1103 OF 2019
IN
FIRST APPEAL NO. 421 OF 2005

Shivajirao Vitthal Kalange since deceased through legal heirs Vijay Shivaji Kalange	...	Applicant/ Appellants
versus		
Tukaram Sakharam Kalambe and ors.		Respondents

Mr. Sharad Bhosle i/b. Mr. Dilip Bodake, Advocate for the Applicant/Appellant.

Ms. Poonam Mital, Advocate for Respondent No.4.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th APRIL, 2024.

P.C. :

1. Heard learned counsel for the applicant and learned counsel for respondent No.4-Insurance Company.
2. Considering the submissions of both learned counsel and reasons mentioned in application, the application is allowed in terms of prayer clauses (a), (b) and (c) and disposed of.
3. Necessary amendment be carried out within two weeks.
4. The First Appeal is restored to file.
5. The applicant is not entitled for interest for the delayed period of 5 years and 21 days, if the applicant succeeds in the appeal.

**SHUBHADA
SHANKAR
KADAM**

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SHUBHADA
SHANKAR KADAM
Date: 2024.04.16
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(SHIVKUMAR DIGE, J.)