

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3498 OF 2024

IN

FIRST APPEAL NO. 1048 OF 2017

The New India Assurance Co. Ltd., Kolhapur ...Applicant

Versus

Suman Rajaram Avachari & Ors ...Respondents

Mr. Irvin D'souza, i/b Shubana Misar, for the
Applicant/Appellant.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 06, 2024

PC :

1. Interim Application No. 3498 of 2024 has been filed seeking restoration of First Appeal No.1048 of 2017 in the original file. It is seen from the record that vide order dated October 3, 2022 passed by the Registrar Judicial-II, First Appeal No. 1048 of 2017 came to be dismissed for non-prosecution. It is also seen that this Interim Application itself is filed with the delay of one year and 114 days. Issue notice on the Interim Application, returnable on September 27, 2024.

2. Since it appears from the record that the amounts have

already been deposited and the Respondents had also been given liberty to withdraw the same, it is made clear that an attempt will be made to dispose of the Appeal finally on the next date. Advocates for the Appellant are permitted to serve a copy of this order on the Advocates for the Respondents to draw their attention to the same.

3. Stand over to **September 27, 2024.**

4. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]