

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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INTERIM APPLICATION NO.11780 OF 2024
WITH
INTERIM APPLICATION NO.11779 OF 2024
[NOT ON BOARD, TAKEN ON BOARD]
IN
FIRST APPEAL (ST) NO.28814 OF 2014
WITH
CIVIL APPLICATION NO.1465 OF 2015
IN
FIRST APPEAL (ST) NO.28814 OF 2014
WITH
CIVIL APPLICATION NO.1463 OF 2015
IN
FIRST APPEAL (ST) NO.29084 OF 2014

The Oriental Insurance Company Limited
Through : Mumbai Third Party Hub ...Applicant

In the matter between:-

The Oriental Insurance Company Limited
Through : Mumbai Third Party Hub ...Appellant

vs.

Akhtari Begum Akil Ahmed Qureshi and Ors. ...Respondents

WITH
INTERIM APPLICATION NO.7097 OF 2024
[FOR CONDONATION OF DELAY]
IN
FIRST APPEAL (ST) NO.6682 OF 2024
WITH
INTERIM APPLICATION NO.7078 OF 2024
[FOR CONDONATION OF DELAY]
IN
FIRST APPEAL (ST) NO.6684 OF 2024

Akhtari Begum Akil Ahmed Qureshi and Ors. ...Applicants

In the matter between:-

Akhtari Begum Akil Ahmed Qureshi and Ors. ...Appellant

vs.

Prasad M. Shetty and Anr. ...Respondents

**INTERIM APPLICATION NO.11778 OF 2024
IN
ARBITRATION APPEAL NO.83 OF 2024
[WRONGLY ON BOARD]**

HLV Limited, Mumbai ...Applicant

v/s.

Airports Authority of India,
New Delhi ...Opponent

Mr.Devendranath Joshi a/w Mr.Pradyumna Thakurdesai:-	Advocate for Appellant.
Mr.Mayank Tripathi i/b. Ms.Preeti Walimbe:-	Advocate for Respondent Nos.1 to 3.

CORAM : S. M. MODAK, J.

DATE : 19th AUGUST 2024

P. C. :-

**INTERIM APPLICATION NO.11779 OF 2024
AND
INTERIM APPLICATION NO.11780 OF 2024**

1. Heard learned Advocate Shri.Joshi for the Appellant – Insurance

Company and learned Advocate for Respondent Nos.1 to 3 (Claimants). The Respondent No.4 – owner could not be served and hence, the Registrar (Judicial-II) on 19th November 2015 ordered dismissal. This order was passed in Civil Application No.1463 of 2015 for condonation of delay. Yet, the Appeal is not numbered.

2. There is enormous delay of more than 8 years. This fact came to the notice of the Appellant – Insurance Company when the Claimants have filed an Appeal for enhancement and there was also delay.

3. The delay is strongly opposed.

4. For the reasons stated in the Application and considering the facts, the Interim Applications are allowed in terms of prayer clauses (a), (b) and (c).

5. The earlier notice returned back unserved. He may be served by publication. Private notice, in addition, be served. Affidavit of service be filed.

6. **Both Interim Applications are disposed of.**

INTERIM APPLICATION NO.7097 OF 2024
AND
INTERIM APPLICATION NO.7078 OF 2024

7. Heard learned Advocate for the Claimants and learned Advocate for the Insurance Company.

8. The Claimants want to file an Appeal for enhancement. There is a delay.
9. Issue notice to the Respondents. Learned Advocate Shri.Joshi waives notice for Respondent No.2 – Insurance Company.
10. Let, Respondent No.1 – Prasad Shetty, owner be served through the Court returnable on **15th October 2024**. Private notice, in addition, is allowed. Affidavit of service be filed.

[S. M. MODAK, J.]