

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11915 OF 2024
IN
FIRST APPEAL (ST.) NO.98425 OF 2020
WITH
FIRST APPEAL (ST.) NO.98425 OF 2020

The New India Assurance
Company Limited

...Appellant/Applicant

vs.

Dindayal Shankalalji Pawar
(Father of the deceased) and ors.

...Respondents

Mr. Rajesh Kanojia i/by M/s Res Juris, Advocate for the
Appellant/Applicant.

None for the Respondents.

CORAM : S. M. MODAK, J.
DATE : 10th OCTOBER 2024

P. C. :-

INTERIM APPLICATION NO.11915 OF 2024
IN
FIRST APPEAL (ST.) NO.98425 OF 2020

1. Heard Mr. Rajesh Kanojia, learned Advocate for the

Appellant/Applicant-Insurance Company. As per the order dated 7th May, 2024, appeal was dismissed for non-removal of the office objection. It pertains to deficit court fees on a certified copy. Their address in the appeal memo and as per title-clause of the award does not match.

2. In the appeal memo the address of the appellant is at Vasai and near World Trade Centre, whereas in the award their address is only of Vasai. This cannot be said be variance in the address. Court fees can be annexed to the certified copy of the award within two weeks.

3. Hence, the Application is allowed in terms of prayer clauses (a), (b) and (c).

FIRST APPEAL (ST.) NO.98425 OF 2020

4. Heard Mr. Kanojia, learned Advocate for the Appellant.

5. The Appeal is on the basis of quantum. **The presence of Respondent No.3 is not required. Notice is dispensed with.**

6. **Subject to removal of office objection, notice be issued to Respondents No.1 and 2 subject to deficit court fees returnable on 19th December, 2024.**

7. Call record and proceedings. Compilation of documents be filed within eight weeks.

[S. M. MODAK, J.]