



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

926 CIVIL APPLICATION NO. 10975 OF 2024
IN FA/708/2020

ICICI LOMBARD GENERAL INSURANCE CO. LTD.,
THROUGH ITS MANAGER, AURANGABAD
VERSUS
SHOBHA SHIVRAJ GALLELU AND ORS

...

Advocate for Applicant : Mr. Abhijit G. Choudhari.

Advocate for Respondent Nos.1 and 3-A to 3-D : Mr. P. D. Suryawanshi.

Advocate for Respondent No.2 : Mr. Taher Ali Quadri.

...

AND
CIVIL APPLICATION NO. 3498 OF 2024
IN FA/708/2020

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 03rd January, 2025.

P.C.:

1 Civil Application No.10975 of 2024 is for condonation of delay, setting aside abatement and permission to bring the legal representative of deceased respondent No.3 on record.

2 Perused the application. There is delay of 859 days caused in bringing the legal representative of deceased respondent No.3 on record.

3 The learned counsel for the applicant submits that the death of respondent No.3 was not informed to this Court by the Advocate

representing respondent No.3 as per Rule 10A of Order XXII of the Code of Civil Procedure.

4 Considering this ground, the application deserves to be allowed as the delay is not deliberately caused. Hence, the delay is condoned. Abatement is set aside. Permission is granted to bring the legal representatives of deceased respondent No.3 on record. Amendment be carried out within one week from today. Civil Application No.10975 of 2024 stands disposed of.

5 List Civil Application No.3498 of 2024 on 17th January, 2025.

[SANJAY A. DESHMUKH, J.]

nga