



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO. 4539 OF 2025
IN FA/3023/2024**

THE BRANCH MANAGER, THE ORIENTAL INSURANCE CO
LTD
VERSUS
MUKTABAI MANIK ADAGALE AND OTHERS

...
Mr. Abhijit Choudhari, Advocate for Applicant.

Mr. Umairpasha Sayyed, Advocate for Respondent Nos.4 and 5.

...
**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 25th APRIL, 2025.**

P.C.:-

1. Heard Mr. Choudhari, learned Advocate appearing for the applicant.
2. By this application, applicant seeks to recall conditional order dated 13.03.2025 passed in First Appeal No.3023/2024, by which Appeal has been dismissed against respondent nos.1 to 3 for want of steps.
3. Mr. Choudhari submits that inspite of necessary efforts, alternate address of unserved respondents could not be received. He points out that now respondent nos.1 to 3 have filed appeal against self-same award and he is in position to serve them.
4. Considering submissions advanced, Civil Application is allowed in terms of prayer Clauses (B) and (C) subject to condition that applicant takes necessary steps for service of notice against respondent nos.1 to 3 within a period of two weeks from today. In case of failure to do so, order dated 13.03.2025 shall govern the proceeding.

**(S. G. CHAPALGAONKAR)
JUDGE**