

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 2640 OF 2015

IN

FIRST APPEAL (ST) NO. 20473 OF 2015

The New India Assurance Co. Ltd.
Through Mumbai Regional Office – I. Applicant

V/s.

Mrs. Hemlata Kamhoba Salvv and Ors. Respondents

.....
Mr. Sandeep S. Jinsiwale for for the Applicant.
Mr. Sudhakar G. Thorat for respondent No.1.

.....

CORAM : K.K.TATED, J.
DATED : 30th AUGUST, 2019

P.C.

1. Not on board. Today the matter is shown on production board pursuant to the praecipe filed by the Applicant dated 29th August, 2019 for urgent order.
2. Heard learned counsel for the parties.
3. Advocate for applicant submits that today this matter is for speaking to minutes of order dated 19th August 2019.
3. In order dated 19th August 2019 on page 2 in clause 4(c), line No.2 instead of 27/08/2017 it should be 27/08/2019. Rest of the order shall remain as it is.
4. Corrected order reads thus :-

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Mr. Sandeep S. Jinsiwale for the applicant.

Mr. Sudhakar G. Thorat for respondent No.1.

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CORAM : K.K.TATED, J.

DATED : AUGUST 19, 2019

P.C.

Heard Learned Counsel for the parties.

2. By this Civil Application, applicant/Insurance Company seeking condonation of 52 days delay in filing the First Appeal.

3. Office note shows that Civil Application stands dismissed against respondent Nos.3 and 5 by order dated 15/04/2016 passed by the Learned Registrar (II). Advocate for applicant is seeking some time to take appropriate steps. It is to be noted that for last three years, applicant has not taken any step to restore the matter against respondent Nos.3 and 5.

4. Considering the submissions made by the Learned Counsel for the applicant, the following order is passed.

: ORDER :

(a) As a last chance, two weeks time granted to the applicant to take appropriate steps against respondent Nos.3 and 5,

failing which the Civil Application shall stand dismissed without further reference to the Court.

(b) Applicant to pay cost of Rs.1,500/.

(c) Cost to be deposited in the Kirtikar Law Library, First Floor, High Court, Main Building, Bombay on or before 27/08/2019 and place on record the receipt thereof, failing which, Civil Application shall stands dismissed without further reference to the Court.

(d) Liberty granted to the applicant to carry out amendment in cause title of the Civil Application during the course of day.

(e) Stand over to 03/09/2019.”

5. Liberty is granted to the applicant to pay the cost on or before 13th September 2019.

(K.K.TATED, J.)