

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

**INTERIM APPLICATION (ST) NO.11022 OF 2025
IN
FIRST APPEAL NO. 179 OF 2015**

The Oriental Insurance Company Limited ...Applicant
V/s.
Smt. Anjali Anand Kulkarni And Ors. ...Respondents

**WITH
FIRST APPEAL NO. 179 OF 2015
WITH
INTERIM APPLICATION NO. 1603 OF 2024
IN
FIRST APPEAL NO. 179 OF 2015**

The Oriental Insurance Company Limited ...Appellant
V/s.
Smt. Anjali Anand Kulkarni And Ors. ...Respondents

Mr. Sachin Raje, for the Applicant in IA(ST)/11022/2025 and Appellant in
FA/179/2015 .

Mr. T. J. Mendon a/w Mr. S. G. Thorat, for the Respondents.

CORAM : SHYAM C. CHANDAK, J.

DATED : 03rd APRIL, 2025

P.C. :-

INTERIM APPLICATION (ST) NO.11022 OF 2025

- . Not on board. Taken on board.
- 2) Heard.
- 3) Mr. Raje, learned Advocate for the Applicant, at the outset
seeks leave to amend the Application to state the period of delay.
- 4) Leave to amend granted.

- 5) Amendment to be carried out forthwith.
- 6) Present Application filed by the Appellant in the aforesaid Appeal to bring on record the legal heirs of the deceased Respondent Nos.4 and 5.
- 7) Mr. Mendon, the learned Advocate for the Respondents/ Claimants has no objection for bringing legal heirs on record.
- 8) The legal heirs are required to be brought on record for just decision in the case. There is no delay in filing this Application for bringing the legal heirs of deceased Respondent No.4. However, there is delay in filing this Application. Insofar as the question of bringing the legal heirs of deceased Respondent No.5 is concerned. However, the Applicant has not taken any advantage on account of the said delay. The Respondent Nos.4 and 5 were husband and wife.
- 9) In view thereof, the Application is allowed. The delay of 4 years and 151 days in filing the present Application is condoned. The legal heirs to be brought on record forthwith.
- 10) Application stands disposed of.

FIRST APPEAL NO. 179 OF 2015

. The learned Advocate for the Respondent Nos.1 to 3 states that, he has instructions to appear on behalf of legal heirs of deceased Respondent Nos.4 and 5 and he undertakes to file Vakalatnama on record on behalf of said Respondents within 10 days from today. Said statement is accepted and undertaking to the Court.

- 2) Mr. Raje, the learned Advocate for the Appellant, on telephonic instruction from the Appellant, seeks leave to withdraw the aforesaid Appeal.
- 3) Leave to withdraw granted.
- 4) Appeal stands disposed of as withdrawn.
- 5) The amount of statutory deposit shall be transferred to the Tribunal concerned. Said amount be disbursed in accordance with law.
- 6) Refund of Court fees as per rules.
- 7) Record and Proceedings be sent back to the trial Court.
- 8) In view of the disposal of the Appeal, the Interim Application No.1603 of 2024 does not survive. The said Application stands disposed of, accordingly.

(SHYAM C. CHANDAK, J.)