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

**INTERIM APPLICATION NO.852 OF 2025
IN
FIRST APPEAL STAMP NO.1503 OF 2025**

Shriram General Insurance
Co. Ltd.

...Applicant

vs.

Savita Machindra Kale & Ors.

...Respondents

Mr. Pandit Kasar for the Applicant.

Mr. T. R. Kale with Mr. T. J. Pandian for Respondent Nos.1 and 2.

CORAM : SHYAM C. CHANDAK, J.

DATE : 6th MAY 2025

P. C. :

. Heard.

2) Record indicates that notice to Respondent No.3 returned unserved with bailiff's remark dated 13/03/2025 'reported as dead on 09/11/2024'.

3) Mr.Kasar, learned Advocate for the Applicant states that Applicant had no statutory defence against deceased-Respondent No.3 and therefore, his legal representatives are not required to be brought on record. Hence, the Application stands rejected to the extent of Respondent No.3.

4) Mr.Kale, learned Advocate for Respondent Nos.1 and 2 states

that Respondent Nos.1 and 2 have no objection to condone the delay.

5) In view thereof and for the reasons stated in the Application, the Application is allowed as against Respondent Nos.1 and 2.

6) The delay of 136 days in filing the aforesaid Appeal is condoned.

7) Appeal be registered forthwith.

8) Application stands disposed of.

(SHYAM C. CHANDAK, J.)