

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 38329 OF 2025
IN
FIRST APPEAL (STAMP) NO. 26413 OF 2023**

Reliance General Insurance Company Ltd., Applicant/
Mumbai Appellant

V/s.

Motibai Balu Bhoir And Anr. Respondents

Mr.Pandit Kasar, Advocate for the Applicant/Appellant.

Ms. Divya Joshi i/b. Mr. Yogesh Dalvi, Advocate for Respondent No.2.

CORAM : R.M. JOSHI, J.

DATE : 16th DECEMBER 2025

P.C:-

1. This application is for restoration of appeal against respondent No.1 which came to be dismissed for not taking steps to serve the said respondent.
2. Learned counsel for the appellant states that notice of this application be dispensed with.
3. Considering the fact that respondent No.1 was not served at the time of dismissal of the appeal against him, notice of this application stands dispensed with.
4. Learned counsel for the appellant makes a statement that he will take steps to serve respondent No.1 within eight weeks. The statement is accepted as undertaking.

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5. It is made clear that if no steps are taken to serve respondent No.1 within the stipulated time, the appeal shall stand dismissed against respondent No.1 without further reference to the Court.
6. The Interim Application stands disposed of in above terms.

FIRST APPEAL (STAMP) NO. 26413 OF 2023

1. Issue notice to respondent No.1 returnable on 30th January 2026.

(R.M. JOSHI, J.)