

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NOS.3569 AND 3568 OF 2025 IN
FIRST APPEAL NO.465 OF 2015

United India Insurance Company

..vs..

Smt. Kalpana Chandu Kadu and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.M. Jain, Advocate for the appellant.

Mrs. Shreya Bhagat, Advocate for respective respondent.

CORAM: PRAVIN S. PATIL, J.

DATED : 04/11/2025.

By this application, the applicant/appellant is seeking condonation of 3536 days in filing the restoration application and also seeking quashing and setting aside the order dismissing the appeal in default vide order dated 24.03.2015 against respondent nos. 8 and 9.

2. It is the contention of the applicant that when this matter was listed before this Court, respondent nos. 1 and 3 are duly represented by the Advocate and respondent no. 2 i.e. the driver of the offending vehicle was also served but no one appears on their behalf.

3. It is further stated that in First Appeal No.344 of 2017 the owner of the same vehicle appeared in the matter and request was made to accept the notice of the present appeal. However, the owner did not appear in the present appeal.

4. In this background, when the matter was listed before the Registrar (Judicial), the same was remain unattended in the matter. As a result, the order came to be passed thereby dismissing the appeal against respondent nos. 8 and 9.

5. For the seasons stated in the application, which are not controverted by other side, the application is allowed. Delay stands condoned. The order dated 24.03.2015 passed by the Registrar (judicial) is hereby recalled and the appeal is restored against the respondent nos. 8 and 9.

6. The appellant to take necessary steps in the matter.

7. List the all connected matter in the next week.

(PRAVIN S. PATIL, J.)

Trupti