



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

CIVIL APPLICATION (O) NO. 664 OF 2024
IN
MISC. CIVIL APPLICATION (STAMP) NO.9127 OF 2024
IN
FIRST APPEAL NO. 903 OF 2019

(Magma HDI General Insurance Co. Ltd. vs. Smt.Archana wd/o Vasant Kawade and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. Girish Deepwani, Advocate for the applicant/appellant.

CORAM : ABHAY J. MANTRI, J.

DATE : JULY 08, 2025

CAO No.664/2024 and MCAST No. 9127/2024

1) The appellant Insurance Company has filed these applications for condonation of delay caused in filing the restoration application and to restore the appeal.

2) Perusal of the record indicates that though the respondents Nos.1 to 5 were served, none appear for them.

3) It appears that in a bunch of petitions by a common order dated 06/09/2023, this Court had directed the appellants therein that they shall file the paper book within twelve weeks; failing which, the appeal shall stand dismissed without further reference to the Court. Accordingly, the appeal was dismissed. However, the appellant was not aware of the listing of the matter and passing of the order by this Court; therefore, the paper book could not be filed within time. The learned counsel

for the appellant further submitted that the paper book is ready and will file it within four weeks. His statement is accepted.

4) Having considered the same, as well as the reasons disclosed in both the applications, the same are allowed, as prayed.

5) The delay of 123 days in filing the application for restoration of the appeal is hereby condoned. The appeal be restored to its original position, subject to the filing of the paper book within four weeks.

6) Call for Record and Proceedings.

(ABHAY J. MANTRI, J.)

KOLHE