

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

***CIVIL APPELLATE JURISDICTION***

**FIRST APPEAL NO. 1097 OF 1999**

**The Oriental Insurance Co. Ltd.**

**..... Appellant**

**VERSUS**

**Ahilyabai H.Somase & Ors.**

**..... Respondents**

None for the Appellant.

Mr.Sameer Patkar a/w. Mr.Yash Fadtare, Mr.Shrinath Badade i/b.  
Mr.Vaibhav Kadam for the Respondent Nos. 1 to 4.

**CORAM: RAJESH S. PATIL, J.**

**DATE : 31<sup>st</sup> OCTOBER, 2023**

**P.C. :-**

This First Appeal is filed by the insurance company in the year 1999 challenges the judgment and award passed on 23<sup>rd</sup> July, 1999 by the M.A.C.T., Nashik.

2. First Appeal was earlier dismissed and restored back by an order dated 29<sup>th</sup> November, 2012, passed in Civil Application No. 2689 of 2012.

3. It appears that the appellant was absent when this matter was called out on 29<sup>th</sup> March 2019, 21<sup>st</sup> August 2019, 24<sup>th</sup> September 2019,

15<sup>th</sup> January 2020, 25<sup>th</sup> October 2023 and 30<sup>th</sup> October 2023.

4. Even today when the matter is called out, none present for the appellant insurance company. Hence, First Appeal is dismissed for non-prosecution. Any interim application pending, is also disposed of.

**[RAJESH S. PATIL, J.]**