

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO.341/1993

Moazzam Hussain Muzaffer Hussain ... Appellant

Versus

Shripal Dharamchand Patil ... Respondent

None present

CORAM: VIJAY S.KULKARNI
REGISTRAR (JUDL)

DATED: 02/09/2015

1. Perused the record and proceedings. The objection notified by the office is that the notice issued to the appellant to serve by paper publication in daily Lokmat at Aurangabad was returned with remark that to pay an advance amount of Rs.500/- towards paper publication charges. Perused the report of Nazir. It is clearly stated in the report filed by Nazir that the publication of notice is not included in the Finance Rules 1978 and, therefore, the expenses that publication of notices cannot be made from the head of office expenses. Thereafter no steps have been taken for furnishing address of the appellant and to serve the appellant. The bailiff report dated 15th December 2011 clearly indicates that the appellant is not residing on the given address. Therefore, I find no difficulty to pass following order.

The appeal stands dismissed for failure to prosecute.

REGISTRAR (JUDL)