

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10240 OF 2014
IN
FIRST APPEAL NO. 2990 OF 2013
(The New India Assurance Co. Ltd. Vs. Dwarkabai
Dharmaraj More and another)

Mr. Dhananjay Deshpande, Advocate for the applicant

CORAM : M.T. JOSHI, J.
DATE : 19/01/2015

ORAL ORDER :

1. Heard.
2. Mr. Dhananjay Deshpande, learned counsel for the applicant submits that the notice sent by registered post A.D., as per the direction of this Court, in first appeal has returned back by the postal authorities. He points towards the service affidavit alongwith the packet of unserved notice, which would show that the packet was returned with endorsement "Not known".
3. The address given on the packet as well as the address in the award is same. In the circumstances, Mr. Deshpande submits that additionally, the present

application for substituted service of notice may be allowed. Accordingly, for the reasons stated in the application, the same is allowed in terms of prayer clause "B". The notice by substituted service be made returnable after four weeks from the date of publication of the same in the newspaper. Hamdast allowed.

4. The present application accordingly stands allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/ca10240-14