

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 1079 OF 2014
IN
CIVIL APPLICATION ST. NO. 25011 OF 2012
IN
FIRST APPEAL NO. 3600 OF 2011

Pritamsingh s/o. Sardarsingh Chabada**Applicant.**

Versus

Pratap Builders and Developers & Ors.**Respondents.**

Mr. R.L. Kute h/f. Mr. V.R. Dhorde, Advocate for applicant.

Mr. P.F. Patni, Advocate for respondent Nos. 5-A, D, H, 6-C, D, E &
3-A.

Miss. R.R. Mane, Advocate for respondent No. 13.

Mr. S.V. Adwant, Advocate for respondent No. 18.

**CORAM : T.V. NALAWADE &
SMT. I.K. JAIN, JJ.**
DATED : 26th March, 2015.

ORDER :

1. Heard the learned counsel for applicant. In view of the contents of the application, the application is allowed in terms of prayer clauses 'A' and 'B'.

2. Instead of reading the prayer as 'set aside the abatement order', it is to be read as 'set aside the dismissal order'.

3. The submissions made show that these respondents are not served with the notice of the appeal. So, in view of the circumstance that in other matter bearing CA No. 11073/14, they are directed to be served through paper publication, the appellant is allowed to serve the notice through paper publication in daily newspaper 'Divya Marathi'. Hamdast allowed. Notice of 30 days is to be given to the respondents for appearance. Civil Application is disposed of in those terms.

4. Due date is given as 7.5.2015.

[SMT. I.K. JAIN, J.]

[T.V. NALAWADE, J.]

ssc/