

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

CIVIL APPLICATION NO. 877 OF 2016

IN

WRIT PETITION NO. 5804 OF 2015

KALAWATI @ GAUBAI ANANDA SHINDE

VERSUS

STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Mundhe Sanjay V.

AGP for Respondent/State : Mr. S.B. Yawalkar

...

CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: January 28, 2016

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PER COURT :-

Heard the learned counsel appearing for the applicant. Perused the report of bailiff received through concerned Court.

2. From the contents of the said report, it appears that, the Respondent No.5 left the concerned premises/house 15 to 20 years back.

3. In that view of the matter, the order dated 21st September, 2015 passed by this Court is recalled. The Petition is restored to its original file as against Respondent No.5.

4. The petitioner is permitted to serve Respondent No.5 through paper publication. The learned counsel appearing for the petitioner submits that, steps will be taken to serve the Respondent No.5 by publishing the notice in daily news paper "Lokmat", Ahmednagar edition, and also one another local news paper widely published in Ahmednagar district, within four weeks from today.

5. Accordingly the application is allowed and same stands disposed of.

6. List the Petition for appearance of Respondent No.5 on 3rd March, 2016.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

sga/-