

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

**CIVIL APPLICATION NO. 2454 OF 2017 IN FAST/26301/2016**

THE NEW INDIA ASSURANCE CO. LTD. THR ITS AUTH. SIGNATORY  
AVINASH A. BUGDANI  
VERSUS  
SHIKANDAR ABBAS PATHAN AND OTHERS

...  
Advocate for Applicant : Mr. M. M. Ambhore  
Advocate for Respondent No.2 : Mr. A. B. Jagtap.  
...

**CORAM : K.K. SONAWANE, J.**

**DATED : 7<sup>TH</sup> NOVEMBER, 2017.**

**Order :-**

Heard learned counsel for applicant-appellant. Perused the application. Admittedly, notices issued to respondent No.2 i.e. present respondent No.3 were not served as he was not found residing on the same address as per the report of bailiff. Therefore, there is no impediment to allow the applicant to serve the notice to respondent No.2 i.e. present respondent No.3 through paper publication.

2. Accordingly, application stands allowed in terms of prayer clause 'B'. The notice to the respondent No.2 (present respondent No.3) be served through publication in the daily news paper Lokmat having wide circulation in Amboda, Taluka and District Dhule.

3. The Registry to do the needful to facilitate applicant for publication of notice to respondent No.2 (present respondent No.3) in daily news paper as per rule. Accordingly, application stands disposed of. Stand over to 12<sup>th</sup> December, 2017.

**[ K. K. SONAWANE ]  
JUDGE**