

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

5 CIVIL APPLICATION NO. 2836 OF 2017
IN FA/4208/2016

VASANTRAO KISAN THORAT AND ORS
VERSUS
SHAIKH SAMADALI SHAIKH CHAND AND ANR

...
Advocate for Applicants : Kakade N.k.

AGP for Respondents:

Advocate for Respondents :

...

CORAM : K.K. SONAWANE, J.

DATED : 08TH AUGUST, 2017.

Order :-

Applicants-appellants filed the appeal under Section 173 of the Motor Vehicles Act, 1988 against the impugned Judgment and Award passed by the learned Member, Motor Accident Claim Tribunal, Ahmednagar, in M.A.C.P.No. 281 of 2008. The notices were issued to both respondents. The notice of respondent No.1 could not be served due to incorrect forwarding address, whereas, the notice of respondent No.2 has already been served, but no one caused appearance in the proceedings. The applicants-appellants prayed for service of notice by paper publication to respondent No.1.

2. In view of the nature of subject matter, leave is granted to serve the notice to the respondent No.1 through paper publication in terms of prayer clause 'B'.

3. Re-issue notice of final hearing of the appeal on merit to the respondent No.2. Accordingly, Civil Application stands disposed of in aforesaid terms. Registry to take requisite steps to facilitate the applicants-appellants for service of notice through paper publication.

4. Stand over to 12th September, 2017.

[K. K. SONAWANE]
JUDGE

rrd.