

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

CIVIL APPLICATION NO. 7489 OF 2017 IN FAST/8336/2016

THE NEW INDIA ASSURANCE CO. LTD. THR ITS AUTHORIZED SIGNATORY,
AURANGABAD
VERSUS
SWATI SUBHASH FISKE AND OTHERS

...
Advocate for Applicant : Mr. M. M. Ambhore.
Advocate for Respondents 1 to 3 : Mr. P. S. Dighe.
...

CORAM : K.K. SONAWANE, J.

DATED : 7TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicant-appellant. Perused the application. It reveals that, notices issued to original respondent No. 1 (present respondent No.6) Hemchandra Zha s/o. Upendra Zha for his appearance was not served as not found residing on the same address as per the report of bailiff.

2. In view of the nature of subject matter, there is no impediment to allow the applicant-appellant to serve the notice to original respondent No. 1 (present respondent No.6) through paper publication. Accordingly, application stands allowed in terms of prayer clause 'B'. The applicant-appellant is hereby allowed to serve notice to original respondent No. 1 (present respondent No.6) through paper publication as prayed for. The Registry to take requisite steps for further process to facilitate the applicant-appellant to publish the notice to be served through local daily news paper having wide circulation in the relevant area of Navi Mumbai, as per rule. Notice returnable on 12th December, 2017. Accordingly, application stands disposed of.

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