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

**CIVIL APPLICATION NO.11927 OF 2017
IN
WRIT PETITION NO.6661 OF 2016**

Sambhaji Maharaj Spinning Mills,
Private Limited Through its
Chairman Ajit s/o Ramchandra Jadhav,
Age: 57 years, Occ: Chairman-
S.M. Spinning Mills Pvt. Ltd.,
R/o,. 'Anujit Vasha" Plot No.68,
Anandnagar, Nanded, Dist. Nanded. ..APPLICANT

VERSUS

Shri. Krishna Cotton Spinners,
Through its proprietor
Kishorkumar s/o Hukumchand Sancheti,
Age: Major, Occ: Business,
R/o. Flat No.303, Sai Tirumala
Apartment, Hyderabad, IIrd Floor,
3-6-29 O/B, Hyderabad-500 029.
At present Han's India English
Local News Paper, Hyderabad 8-3-68/1/
A/2/8, Plot No.3, Aurora Colony,
Banpura Hills Road No.3,
Hyderabad (Telangana) 500 034 & ors ..RESPONDENTS

Mr P.B. Rakhunde, Advocate h/f Mr S.B. Bhapkar,
Advocate for applicant;
Mr V.G. Salgare, Advocate for respondent Nos.2 and
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CORAM : NITIN W. SAMBRE, J.

DATE : 21st SEPTEMBER, 2017

(2)

ORAL ORDER :

Seen the application for seeking permission to serve the respondent through paper publication under Order 5 Rule 20 of the Code of Civil Procedure.

2. It is not in dispute that Regular Darkhast No. 128 of 2012 arising out of the impugned order is pending on the file of Civil Judge, Senior Division, Nanded, which is stayed by this Court.

3. In the facts and circumstances, it will be appropriate, in my opinion, to direct the applicant to submit notices of the respondents, who are not served, before the Executing Court being Civil Court, Senior Division, Nanded, in Regular Darkhast No. 128 of 2012. The said Court shall ensure the service of notice on the respondents through applicant by summoning such persons or if authorized, through Advocate. Notice be made returnable on 9th October, 2017.

(3)

4. With above direction, the application stands disposed of.

5. The prayer for paper publication by alternate mode has not gone into.

(NITIN W. SAMBRE, J.)

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