

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

929 CIVIL APPLICATION NO. 13186 OF 2017

IN

FAST/12921/2014

WITH

CA/1461/2015

IN

FAST/12921/2014

BHARTIBEHN MADHUBHAI SHAH

VERSUS

DEEPA BELANI W/O.R.C. BELANI

DIED THRO. L.RS. RAMCHANDRA

C. BELANI AND ORS.

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Mr. A.S.Barlota, Advocate for applicant.

Mr. A.B.Gatne, Advocate for R – 2.

Mr. S.G.Chapalgaonkar, Advocate for R – 4.

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CORAM : V.L.ACHLIYA, J.

DATE : 27th JULY, 2018

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ORAL ORDER :

1. Leave to correct the prayer clause.

2. The applicant/claimant has taken out this application to serve respondent No. 1 by way of substitute service i.e. paper publication in view of service report that respondent No. 1 not found to be residing at the address given. Learned counsel for the applicant submits that the applicant/appellant is not aware about any other address of respondent No. 1 other than mentioned in the Judgment and Order passed by the Tribunal.

3. On due consideration of submissions advanced in the light of facts stated in the application supported with the affidavit and

the service report, the case is made out to allow the applicant to serve respondent No. 1 by way of substitute service. Accordingly, the application is allowed in terms of prayer clause 'B' on condition to pay the requisite paper publication charges to the concerned news-paper.

4. Await report.

5. Stand over to 24/08/2018.

[V.L.ACHLIYA]
JUDGE

KNP/C.A. 13186.2017 in F.A.St. 12921.2014