

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

CIVIL APPLICATION NO. 15421 OF 2017 IN FAST/38598/2016

ICICI LOMBARD GENERAL INSURANCE CO. LTD.
VERSUS
ANANTLAXMI RAM GABALE AND OTHERS

...
Advocate for Applicant : Mr. S. S. Patil
Advocate for Respondents No.1 to 3 : Mr. Ram S. Shinde (Absent).

...
CORAM : K.K. SONAWANE, J.
DATED : 15TH JANUARY, 2018.

Order :-

Heard learned counsel for applicant- Insurance Company. Perused the application. When the matter is called out, none appears for respondents No. 1 to 3.

2. Perused the application. Learned counsel for applicant submits that respondent No.5 was absent before the Tribunal. Therefore, claim objection was proceeded ex-parte against him. He requested to serve the notice through paper publication to respondent No.5 (driver and owner of the offending vehicle).

3. In view of nature of the subject matter, there is no impediment to nod in favour of applicant. The presence of respondent No.5 being owner of offending vehicle is necessary in the present proceedings. Hence, civil application is allowed in terms of prayer clause 'B'. The applicant-appellant is hereby permitted to serve the notice to respondent No. 5 through paper publication having wide circulation in the vicinity of Udgir, District Latur, where the respondent No.5 is residing. Registry to take requisite steps for further process to facilitate the applicant-appellant for publication of notice in the daily news paper Ekmat accordingly.

4. The civil application stands disposed of in above terms.

[K. K. SONAWANE]
JUDGE