

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1284 OF 2017
IN
SECOND APPEAL NO.218 OF 1999

Shri Shankar Ganu Gaikwad ... Applicant/Appellant

Vs.

Shri Namdeo Vithu Gaikwad & Ors. ... Respondents

Mr.S.T. Bhosale i/b Dilip Bodake for the Applicant

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 27, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board
2. Learned Counsel for the applicant submits that notice is given to Mr.Yogesh Patil, advocate for Respondent No.1B and one Mr.Prakash Gharge, for respondent No.2, however none appears for the respondents.
3. This application is taken out for substituted service on respondent Nos.1A to 1C in any of the daily newspapers viz., Navakal, Pudhari, Lokmat or Saamna. The learned Counsel submits that earlier notices were served on respondent No.1, who has

expired. Respondent Nos.1A to 1C are his legal representatives and they are required to be served by publication as the earlier notices could not be served on them.

4. In view of the above, the application is allowed. The applicant may serve the respondents in any of the newspapers mentioned above and produce proof of service by publication in the Registry, within a period of 12 weeks.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)