

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION NO.45 OF 2018

IN

APPEAL AGAINST ORDER [AO] NO.17 OF 2018

[Smt. Radhika w/o Rajesh @ Abhay Undal .vs. Shri Rajesh @ Abhay s/o Shyamrao Undal and another]

.....
Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

.....
Court's or Judge's orders

.....
Shri K.B. Zinjarde, Advocate for applicant,
Shri A.P. Tathod, Advocate for respondent no.2.
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CORAM : MRS. SWAPNA JOSHI, J.

DATED : JULY 26, 2018.

Heard Shri K.B. Zinjarde, the learned counsel for the applicant and Shri A.P. Tathod, the learned counsel for respondent no.2.

This is an application filed by the applicant-original defendant under Order 5 Rule 20 of the Code of Civil Procedure for serving respondent no.1 by paper publication.

It is submitted by the learned counsel for the applicant that the notice was issued to respondent no.1, who is the husband of applicant, however, the said notice was returned unserved with the remark that respondent no.1 is not residing on the given address. It is submitted by the applicant that in the said application she has mentioned the same address where she was residing with respondent no.1 at Washim and she is not aware of any other address of respondent no.1, except the same mentioned in the transfer application.

In this view of the matter and for the reasons mentioned in the application, the present application stands allowed and disposed of.

Appeal Against Order No.17/2018

Shri Tathod, the learned counsel for respondent no.2, seeks time of one week to file reply.

Stand over after two weeks.

Place the matter along with Misc. Civil Application No.169/2018.

JUDGE

Gulande