

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

CIVIL APPLICATION (CAF) NO.3007 OF 2017

IN

FIRST APPEAL NO. 475 OF 2017

(MAROTI BHOPAJI TAYADE & ANR...VS.. ABDUL KARIM MOHD. HATAM & OTH.)

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

Court's or Judge's orders

Shri P.R.Agrawal, Advocate for Applicants/Appellants.
Shri S.N.Dhanagare, Advocate for Respondent No.3.
Shri H.D.Futane, Advocate for Respondent No.4.

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 27, 2018.

Respondent No.1 (owner of the vehicle) and respondent No.2(driver) were served with notice of Civil Application No. 3216 of 2015 by paper publication. Now, the appeal is admitted and the office note shows that the appellants/ claimants are required to serve the respondent Nos. 1 and 2 again.

The appellants have filed civil application pointing out the relevant facts and praying that the service of fresh notice on the respondent Nos. 1 and 2 be dispensed with.

As the notice of these proceedings was already served on the respondent Nos. 1 and 2, they are aware about pendency of these proceedings and therefore, the service of fresh notice of this appeal is not required.

The civil application is **allowed** accordingly. No costs.

JUDGE