

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 CIVIL APPLICATION NO.13809/2019
IN
FIRST APPEAL NO.1432 OF 2017

NEW INDIA INSURANCE CO. LTD. THR ITS DIV. MANAGER,
AURANGABAD
VERSUS
VIMALBAI DEVIDAS BANSODE AND ORS

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CORAM: H.M.BHOSALE
REGISTRAR (JUDL)

DATED: 26/11/2019

1. This is an application moved by the learned Advocate for the appellant praying to allow substituted service upon respondent no.3 under Order 5 Rule 20 of the Code of Civil Procedure. It is contended that the notice issued to respondent no.3 has returned with the Bailiff report informing that the address of the respondent no.3 is not complete.

2. Having considered the Bailiff report, it appears that the Bailiff was unable to trace out residential place of respondent no.3 despite making enquiries in the neighbourhood.

3. In turn, having regard to the reasons set out in the application, I am satisfied that the appellant has made out a case to invoke the provisions under Order 5 Rule 20 of the Code of Civil

Procedure. In turn, I pass the following order.

ORDER

Civil Application is allowed in terms of prayer clause B and C.

REGISTRAR (JUDL)