

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

36 CIVIL APPLICATION NO.248 OF 2019
IN SA/576/2018

KAMAL BAPURAO DESHMUKH AND OTHERS
VERSUS
KRUSHNA SHANKAR NADE AND OTHERS

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Advocate for Applicants : Mr. Atul B. Gatne

Advocate for Respondents no.01, 4A, 5B, 7, 8,
10B, 10E, 11 & 13 : Mr. S.D. Kotkar

Appeal dismissed as against respondents
no.3, 4B, 4F, 5D, 6, 9, 10A and 12A as per Court's
order dated 12-10-2018.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 01ST APRIL 2019

ORAL ORDER :

01. It appears that in pursuant to the order passed by this Court on 08th January 2019, notice was directed to be issued by RPAD to respondents no.4F, 5D and 12A. As per order dated 22nd March 2019, packets of two respondents were received by the applicants; but then as regards third respondent to whom RPAD notice was directed to be issued, was not received by the applicant. Now, statement is made by the learned Advocate for the applicants, that the third packet has also been received in which only

stamp, that too with faint impression, is affixed; however, date is not mentioned. Such notice cannot be accepted. Learned Advocate for the applicants is directed to place all three packets on record.

02. It appears that the applicant has made efforts to serve those respondents on the available address with him as per the record, but when it is not possible to trace them out, they will have to be served through paper publication and, therefore, the application is **allowed**. Notice be issued to respondents no.4F, 5D and 12A by publishing the same in daily "Saka" or daily "Lokmat" which has wide circulation in Pune District, to be made returnable on 10th June 2019.

(Smt. Vibha Kankanwadi)
JUDGE

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