

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

**CIVIL APPLICATION NO.13419 OF 2021
IN
CP/401/2020**

**PRAKASH BHIMRAJ KARALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. K.J. Suryawanshi, Advocate for the Applicant
Mr. B.V. Virdhe, AGP for Respondent Nos.1 to 3

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 14th DECEMBER, 2021

PER COURT:-

1. It is an application for substituted service against respondent nos.9, 11 and 14 by way of paper publication in newspaper 'Punya Nagari' Marathi.

2. On perusing the report submitted by the Civil Judge, Senior Division, Ahmednagar dated 01.04.2021, it is evident that as per the bailiff report, notice of respondent no.11 is served. As such, there is no need to serve respondent no.11 again by way of paper publication.

2. The notice of respondent no.9 came to be returned unserved as he is not found at the given address. He was out of station and there is no sure information when he will come back. On the earlier date, as per the report submitted by the Civil Judge, Senior Division, Ahmednagar dated 02.02.2021, respondent no.9 was also not found on the given address and reported to be out of the station. As such, the prayer for substituted service of notice by way of paper publication needs to be allowed to the extent of respondent no.9.

3 As per the report submitted by the Civil Judge, Senior Division, Ahmednagar dated 01.04.2021, respondent no.14 is now residing at Pune and in detail address is given in the report. The applicant to take necessary steps to serve respondent no.14 on new the address.

4. Leave granted to furnish new address of respondent no.14.

ORDER

(i) The application for substituted service moved by the applicant is hereby allowed to the extent of respondent no.9.

(ii) The applicants to produce copy of newspaper along with affidavit in order to show that notice has been published against respondent no.9 in the newspaper and the same is served.

(iii) Re-issue notice to respondent no.14, on new address, returnable on 01.02.2022.

(iv) The civil application is disposed of accordingly.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane