

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO.13222 OF 2021
IN FAST/14850/2016 WITH CA/7613/2016 IN FAST/14850/2016

RAJUBAI BALU JAYBHAYE AND ORS
VERSUS
PARKASH CHANDRAKANT KHARATH AND ORS.

Mr S.R. Shirsat, Advocate for applicants
Mr D.B. Thoke, Advocate for respondent no.2 - absent
Mr A.S. Deshpande, Advocate for respondent no.3 - absent

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 9th DECEMBER, 2021

PER COURT :

1. Mr S.R. Shirsat, learned Advocate for applicants prays service to respondent no.1 by way of paper publication. The applicants have assigned reasons in their application in paragraphs no.5 to 7 as to how earlier order passed in Civil Application No.3479 of 2018 dated 9th March 2018 could not be complied with. Now, they are seeking similar order by moving the present application. The application needs to be allowed.

ORDER

(i) The Civil Application is hereby allowed in terms of prayer clause (B). Notice returnable on 10th February 2022.

(ii) The applicants to produce copy of newspaper along with affidavit in order to show that notice has been published against respondent no.1 in the newspaper and the same is served.

(iii) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

VVR