

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

Civil Application [CAS] No.428 of 2021
in
Second Appeal No.501 of 2018

Santosh @ Ambadas Jayendra Deorankar
vs.
M/s. Khemka Automobiles & others

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

*Shri J.J. Chandurkar, Advocate for the Applicant/Appellant.
Shri S.S. Bhalerao, Advocate for Respondent Nos.1 & 2.*

CORAM : S.M. MODAK, J.
DATE : 12th AUGUST, 2021.

Heard the learned Advocate for the applicant/
appellant.

02] Respondent No.3-Sandeep was defendant No.4 before the trial Court. He was directed to pay damages as well as to handover possession. His R.C.A. No.68/2015 was dismissed. While doing that, the first appellate Court exonerated him and also reduced the amount of damages awarded against defendant Nos.1 to 3.

03] There is a connected appeal bearing Second Appeal No.474/2018, in which Sandeep is respondent No.1. I have allowed substituted service on him while allowing Civil Application [CAS] No.479/2021 in that appeal.

04] So far as the present appeal is concerned, service report also says that respondent No.3 is not residing on the addresses mentioned in the appeal memo at Amravati and Nagpur.

05] Hence, the appellant is permitted to serve respondent No.3-Sandeep by substituted service by paper publication in a local newspaper as well as by pasting on both the addresses of Amravati and Nagpur. It is made clear that notice be issued for final disposal at the admission stage.

06] The application is allowed and disposed of accordingly.

07] The matter be kept on 30th September, 2021.

JUDGE

**sandesh*