

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

**923 CIVIL APPLICATION NO.12684 OF 2022
IN FIRST APPEAL NO. 1036 OF 2017**

**THE NATIONAL INSURANCE CO. LTD. THROUGH ITS
DIVISIONAL MANAGER, AURANGABAD
VERSUS
VAISHALI NARENDRA SHARMA AND OTHERS**

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Mr. S.P. Chapalgaonkar, Advocate for the applicant.
Mr. Aniruddha Nimbalkar, Advocate for respondent Nos.1 to 3.
Mr. S.P. Shah, Advocate for respondent No. 5.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 07.09.2022.

ORDER:-

1. Heard rival submissions. It appears that respondent No.7, who is the owner of offending vehicle, has shifted to Chennai, and therefore, could not be served. As such, he can be served by publishing notice in the newspaper "Business Standard" as prayed.

2. Further, the applicant - Insurance Company also sought deletion of respondent No. 4, who is one of the claimant, whose legal heirs are already on record. This fact is also confirmed by the learned Counsel appearing on behalf of respondent Nos.4 and 5. Thus, the name of respondent No. 4 can also be deleted from the record.

3. In view of the above, the application is hereby allowed and disposed of in terms of prayer clauses (B) and (C). The necessary amendment be carried out within the stipulated period.

(SANDIPKUMAR C. MORE, J.)