

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CIVIL APPLICATION (CAF) NO. 1813 OF 2022

**IN
FIRST APPEAL NO. 208 OF 2022**

The Branch Manager, SBI General Insurance Co. Ltd., Nagpur

Vs.

Smt. Khairun wd/o Jahir Khan and Ors.

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

Court's or Judge's Orders.

Mrs. Mrunal Naik, Advocate for appellant.
Mr. P.S. Mirache, Advocate for respondent Nos.1 to 3.

CORAM : ABHAY AHUJA, J.

DATE : 14.09.2022.

This is an application seeking substituted service of notice upon the respondent No.4, which has been returned unserved.

2. Mrs. Naik, learned counsel for the applicant submits that in this case notices were issued to all the respondents on the address given in the claim petition, however, notice to respondent No.4, owner of the offending vehicle has been returned unserved and the bailiff report states that he was not found residing on the given address. She submits that the appellant has tried to search the

details/address of the respondent No.4, but he was unable to get the details/address despite best efforts. In this view of the matter, she submits that the only option is to publish the notice in a local daily circulating in the area where the respondent No.4, is known to have resided lastly.

3. Having heard the learned counsel for the applicant, this Court is of the view that the application deserves to be allowed. Let the notice to respondent No.4 be published in the local daily newspaper “Deshonnati” circulating in the Nagpur region within a period of two weeks.

4. The civil application is allowed in above terms. No costs.

First Appeal No.208/2022

Mrs. Naik, undertakes to remove office objection by the next date of the appeal.

2. List the matter on **12.10.2022**.

JUDGE