

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

CIVIL APPLICATION (F) NO.2177 OF 2022

IN

FIRST APPEAL NO.351 OF 2022

{Bhaiji Motor Pvt. Ltd. **..Vrs..** Smt. Sushma Wd/o Satyanarayan Varma
and Ors.}

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

Court's or Judge's order

S/Shri W. Daigavane, Adv. h/f Shri H. D. Dangre, Advocate for the Appellant.
 Shri M. R. Puranik, Advocate for the Respondent No.4.
 Shri K. Daga, Adv. h/f Shri D. C. Daga, Advocate for Respondent No.5.

CORAM : ABHAY AHUJA, J.

DATE : 29th SEPTEMBER, 2022.

. This is an application seeking substituted service in respect of Respondents No.1 to 3 and 6.

2. Learned counsel for the Applicant/Appellant states that the notice issued to Respondents No.1 to 3 has been returned unserved with an endorsement that noticee not found on given address. As far as Respondent No.6 is concerned, the same has not yet been returned although a period of five months month has passed. She therefore submits that even in respect of Respondent No.6, substituted serve may be permitted. Learned counsel draws the attention of this Court to paragraph 6 of the application and submits that the substituted service by way of paper publication in a newspaper widely circulated in the locality, where the Respondents No.1 to 3 and 6 have had lastly resided be permitted for speedy disposal of the matter.

3. Learned counsel appearing for Respondent No.4 and Respondent No.5, have no objection, if the application is

allowed.

4. Having heard the learned counsel appearing for the parties and having perused the application, the application stands **allowed**. Let there be substituted service in respect of Respondents No.1 to 3 and 6 by paper publication in newspaper circulated in the area in which they have lastly known to reside.

5. Also, re-issue notice in respect of Respondents No.1 to 3 and 6, returnable after six weeks. List the matter on **14.11.2022**.

6. Application accordingly stands disposed.

(JUDGE)

TAMBE