

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

CIVIL APPLICATION (CAF) NO.909/2022
IN
FIRST APPEAL ST. NO.19263/2017

Smt. Ashabai wd/o Purushottam Nandanwar and others
...Versus...
Momeen Sumsuddin Ahmed and another

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

Court's or Judge's orders

Shri A.V. Joshi, Advocate for applicants
Mrs. Mrunal Naik, Advocate for respondent no.2
Shri M.A. Kadu, AGP for respondent no.4

CORAM : AVINASH G. GHAROTE, J.
DATE : 24/11/2022

1. The civil application seeks to dispense with the service upon the respondent nos.1 and 3, on the ground that on the application under Order 33 of the Code of Civil Procedure filed earlier they were served.
2. This Court by an order dated 09/12/2019 had permitted the applicants to sue as an indigent person and thereafter had issued notices on the first appeal. There is no provision in the Code of Civil Procedure, by which, such a procedure can be adopted. The civil application therefore is rejected.