

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

**CIVIL APPLICATION NO. 1074 OF 2023
IN
WRIT PETITION NO. 7666 OF 2021**

Gobai Dhannu Kanise .. Applicant

Versus

Vijay Pundlik Choudhary and others .. Respondents

Mrs. Pooja V. Langhe, Advocate h/f Shri Vijay R. Landhe,
Advocate for the Applicant.

Shri R. P. Totala, Advocate h/f Shri A. P. Bhandari, Advocate for
the Respondent No. 1.

Ms. Pallavi Wangikar, Advocate h/f Shri R. V. Gore, Advocate for
the Respondent No. 6.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 30TH JANUARY, 2023.

FINAL ORDER :

. This civil application has been preferred seeking permission to serve the notice on the respondent No. 5 through paper publication.

2. Learned counsel for the applicant submits that address of the respondent No. 5 is the same address as recorded in the cause title of the plaint and the respondent No. 5 is the defendant No. 12 in the suit and he has filed written statement.

3. The bailiff report of 22nd September, 2021 reports that when he visited the respondent No. 5's address for the purpose of effecting service, the respondent No. 5 was not found at the given address and upon enquiry in the vicinity, there was no any information as regards respondent No. 5.

4. For the reasons above the civil application is allowed. The applicant to serve the respondent No. 5 by paper publication by publishing the notice in Daily Pudhari, Dhule edition, which is a local news paper circulated in Dhule. The paper publication to be done 15 days prior to the next date of hearing of the petition. The copy of the paper publication be placed on record along with the affidavit before the next date. The civil application is accordingly disposed of.

5. Place the writ petition for hearing on 27.02.2023.

[SHARMILA U. DESHMUKH, J.]

bsb/Jan. 23