

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

CIVIL APPLICATION (CAS) NO. 328 OF 2023
IN
SECOND APPEAL NO. 473 OF 2022

TUKARAM JAGOBA THAKRE

...**VERSUS**...

SUMITRA DEORAOJI KALE AND ORS.

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

Court's or Judge's order

Shri R.G.Kavimandan, Advocate for appellant/applicant.
Ms. Prachi T. Joshi, Advocate for respondent nos. 1 and 2.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 08th MARCH, 2023

The present application is filed for deleting the name of respondent no. 4(a) from the array of respondents.

2. It is submitted that notices were issued to the respondents on the application for stay on 19/12/2022. Subsequently, it was brought to the knowledge of the appellant that respondent no. 4(a) is dead. The legal heirs of respondent no. 4(a) is already on record. In view thereof, permission is granted to delete the name of respondent no. 4(a) from the array of respondents.

3. Necessary amendment to be carried out within one week.

4. Accordingly, the application is disposed of.

CIVIL APPLICATION (CAS) NO. 282 OF 2023

The present application is filed for permission to serve respondent no. 4(d) by way of paper publication.

2. It is submitted that, in spite of attempt made to serve respondent no. 4(d) on the registered address, the said notice was returned back unserved for want of correct address. As such, the appellant is seeking permission to serve respondent no. 4(d) by way of paper publication.

3. For the reasons stated in the application, application is allowed. The appellant is permitted to serve respondent no. 4(d) by way of publishing the notice in two local newspapers as prayed for.

4. Registry to take note of the same.

5. Accordingly, the application is disposed of.

CIVIL APPLICATION (CAS) NO. 1287 OF 2022

Interim order to continue till next date.

SECOND APPEAL NO. 473 OF 2022

Notices issued to respondent no. 4(b) and 4(c), returned back unserved for want of time. The time is extended by another three weeks.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar