



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO. 1992 OF 2023
IN CIVIL REVISION APPLICATION (ST) NO. 355 OF 2023

1. Smt. Yashodabai wd/o. Laxman Salunke
2. Kamlakar s/o. Laxman Salunke
3. Sau. Anusaya w/o. Kamlakar Dalve

... APPLICANTS

(Ori. Petitioners/Applicants)

VERSUS

1. Sau. Komal w/o. Vitthal Jadhav
2. Sau. Manisha w/o. Digambar Jadhav
3. Sau. Vaishali w/o. Hemant Kakade
4. Sau. Shamal w/o. Jalindar Jadhav (deleted)
5. Smt. Kaushalyabai wd/o. Laxman Salunke

... RESPONDENTS

(Resp. Nos.1 to 4 – Ori. Non-Applicants &
Resp. No. 5- Ori. Objection Petitioner)

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Mr. A.P. Yenegure – Advocate for Respondent Nos.2 to 5

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 13th September, 2024

PER COURT :

1. None present for the applicants.
2. Learned Counsel for respondent Nos.2 and 5 is present.
3. The record shows that, despite granting several last chances the applicants failed to file service affidavit in respect of respondent

No.3. Whatever service affidavit is filed is in respect of only giving the same old address of respondent No.3 on record and praying re-issuance of notice on the same. However, no service affidavit mentioning as to what happened in respect of earlier service to respondent No.3 is there. As such, there is no reason for serving respondent No.3 on the same address again and again.

4. Though in the service affidavit it is claimed that, respondent No.3 be served by paper publication but no application to that effect has been filed. It is extremely important to note that, paper publication was also allowed in respect of service upon respondent No.4, but learned Counsel for the applicants had in fact intimated that, due to financial crisis the applicants could not issue such paper publication and therefore, the name of respondent No.4 was deleted.

5. Thus, it appears that the applicants are not diligent in prosecuting the matter by taking appropriate steps. Nobody is present on their behalf. Hence, this Civil Application alongwith Civil Revision Application (St) No. 355 of 2023 stands dismissed for want of steps.

[SANDIPKUMAR C. MORE]
JUDGE