



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

915 CIVIL APPLICATION NO. 2592 OF 2024 IN FA/2135/2014

UNITED INDIA INSURANCE CO. LTD.

VERSUS

PRABHAKAR HARI SONAR AND ANOTHER

WITH CIVIL APPLICATION NO. 2591 OF 2024 IN FA/2134/2014

WITH CIVIL APPLICATION NO. 2590 OF 2024 IN FA/2161/2014

WITH CIVIL APPLICATION NO. 2589 OF 2024 IN FA/417/2015

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Advocate for Applicants : Mr. Gatne Atul B. (Through V. C.)

Advocate for respective Respondent/s : Ms. Kirti Deshpande
h/f Mr. Bhokarikar M. M.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 02.05.2025

PER COURT :-

1. Heard Mr. Atul Gatne, learned counsel for the applicants online, Ms. Kirti Deshpande holding for Mr. Bhokarikar for the claimants.

2. These applications are for soliciting direction to resort to mode of service of notice to the legal heirs of deceased owner through newspaper publication.

3. Learned counsel Mr. Gatne submits that owner passed away and his legal heirs are not responding in providing their details so that steps would be taken for bringing them on record. It is submitted that the Investigating Officer of the insurance company had approached few of the heirs who are

non-responsive. It is submitted that unless the heirs are brought on record, the appeals would not proceed.

4. It appears that due to the death of the owner, appeals are not ready for the admission hearing or for any further hearing. Even the claimants have filed application for withdrawal of amount which is deposited by the insurance company. Regular mode of service is ineffective especially when there is death and in the absence of positive response from the heirs of the deceased. Under peculiar set of circumstances, I deem it appropriate to accept the submissions of the learned counsel for the applicants. My attention is also adverted to the statement on oath made by the applicants to show that there is no alternative than to resort to the mode of service through paper publication.

5. Civil applications are allowed in terms of prayer clauses "B" and "C".

6. List these applications for further consideration on 25.07.2025.

(SHAILESH P. BRAHME, J.)

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vmk/-