



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

973 CRA NO. 116 OF 2024  
WITH CIVIL APPLICATION NO.8373 OF 2025  
IN CRA NO. 116 OF 2024

DEOCHAND SHIVLAL DEDWAL AND ANOTHER  
*VERSUS*  
BABASAHEB ASARAM KANAKE AND OTHERS

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Advocate for Applicants : Mr. Latange Vijay Prabhakar Rao.

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CORAM : SHAILESH P. BRAHME, J.  
DATE : 07.08.2025

**PER COURT :-**

1. For the reasons stated in Civil Application No.8373 of 2025, I deem it appropriate to allow civil application in terms of prayer clause "B". Civil application is allowed.

**In Civil Revision Application**

2. It transpires from record that respondent No.1 is attempted to be served on the address given in the title clause which is born from record of Regular Civil Suit No.1123 of 2014. Revision application pertains to rejection of application filed under Order VII Rule 11 of the C.P.C. Respondent No.1 being plaintiff is the only contesting party. Applicants are required to take out application for substituted mode of service

for serving respondent No.1. It is incomprehensible as to how the plaintiff is not responding to the service on one hand and on another hand prosecuting the suit. I propose to hear present revision application finally at the admission stage on 08.09.2025.

3. There shall be ad-interim stay to the proceeding of Regular Civil Suit No.1123 of 2014 pending before the Joint Civil Judge, Senior Division, Aurangabad. Applicants shall bring minutes of today's order to the notice of Presiding Officer as well as learned counsel representing respondent No.1 in the Trial Court. On the next date, such compliance shall be produced by the applicants.

**(SHAILESH P. BRAHME, J.)**

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vmk/-