IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13089 OF 2024

Narayan Dinbaji Chaware Died Lrs Gumfa Narayan Chaware And Others

VERSUS

Nilkanth Kacharuji Dekate Died Lrs Malti Nilkanth Dekate And Others

...

Mr. D. K. Dagadkhair, Advocate for the Petitioners
Mr. A. S. Bajaj, Advocate for Respondent no.7

...

WITH
CIVIL APPLICATION NO. 10154 OF 2025 IN WP/13089/2024
WITH
CIVIL APPLICATION NO. 5240 OF 2025 IN WP/13089/2024

.....

CORAM : AJIT B. KADETHANKAR, J.

DATED : 12TH OCTOBER, 2026

P.C. :-

CIVIL APPLICATION NO. 10154 OF 2025

. Mr. A. S. Bajaj, learned Advocate for respondent no.7 would submit that in fact the notice issued to respondent nos.2/1 to 2/3 were refused to be accepted by those parties. Thus, he submits that when this fact was brought to the notice of this Court on 05.05.2025, this Court recorded that this was a good service on those respondents. He further points out that due to typographical error instead of respondent no.2/1, inadvertently it is mentioned as 2/2.

2. Mr. D. K. Dagadkhair, learned Advocate for the applicants would fairly agree to this position. Accordingly, as recorded by this Court on 05.05.2025, service upon respondent nos.2/1 to 2/3 is held to be completed. Now, so far as the respondent no.1/1 to 1/4, 3 and 4 are concerned, Mr. Dagadkhair has filed present Civil Application to serve them by a public notice considering that they have remained unserved despite efforts made by the petitioners to serve them. He further submits that he has candidly stated in the Civil Application that only respondent nos.2/1 to 2/3 and respondent no.7 are the contesting parties to the Writ Petition.

3. In view of the above and for the reasons mentioned in the application, the same stands allowed. The petitioners are permitted to serve respondent nos.1/1 to 1/4, 3 and 4 by publishing a Court notice in a widely circulated newspaper in Ahmednagar District.

4. Registry to issue notice to those respondents, returnable on 03.11.2026 and hand it over to the petitioners for getting those published in the newspaper at their own costs.

5. It is reported that respondent no.5 is already dead. No steps are taken to bring legal representatives of respondent no.5 on record. Hence, Appeal stands abated against respondent no.5.

6. Civil Application stands disposed of.

CIVIL APPLICATION NO. 5240 OF 2025

. In view of order passed by this Court today in Civil Application No.10154 of 2025, present Civil Application does not survive. Civil Application stands disposed of accordingly.

(AJIT B. KADETHANKAR, J.)

Rushikesh/2026