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998 CA 4306 OF 2026.odt

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

**998 CIVIL APPLICATION NO. 4306 OF 2026
IN SA/67/2022**

MANOHAR SUPDAJI SONWANE

VERSUS

**SUMANBAI DEORAO SONWANE DECEASED THROUGH LRS KUSUM
SONAJI MAGAR AND OTHERS**

...

Mr. Aditya Lokhande h/f. Mr. S. S. Tope, Advocate for Applicant

WITH

SECOND APPEAL NO. 67 OF 2022

WITH

CIVIL APPLICATION NO. 789 OF 2022

IN SA/67/2022

...

CORAM : MEHROZ K. PATHAN, J.

Dated : 16.04.2026

PER COURT:-

SECOND APPEAL NO. 67 OF 2022

. The learned counsel for the appellant submits that notice issued to respondent No.3 is returned unserved.

2. Issue fresh notice to respondent No.3, returnable on 07.05.2026.

3. The appellant is permitted to serve respondent No.3 through private mode of service in addition to regular mode of service.

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4. The learned counsel for the applicant submits that respondent No.3 is deliberately avoiding service thereby causing delay for the admission of the present appeal. Notices were initially issued by this Court pursuant to order dated 01.03.2022 made returnable on 05.04.2022. A fresh address was also provided and notice was again issued to respondent No.3 on the fresh address. However, respondent No.3 is avoiding service.

5. For the reasons stated in the application, the civil application is allowed.

6. The applicant is permitted to serve respondent No.3 by substituted service through paper publication in a widely circulated newspaper, as per Order V Rule 20 of the Code of Civil Procedure.

7. The civil application is disposed of accordingly.

(MEHROZ K. PATHAN, J.)