

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 248 OF 2014

IN

FIRST APPEAL NO. 105 OF 2013

MRS. MARIA ROSA JOANITA CRUZ E
COSTA FERNANDES @ ROBERT COSTA
FERNANDES AND ANR.

... Applicant

Versus

MR. ALBERTO VAS AND 51 ORS.

... Respondent

Mr. Valmiki Menezes, Advocate for the applicants.

Mr. S. S. Kakodkar, Advocate for the respondent no.22.

Mr. A. Prabhudessai, Additional Government Advocate for the
respondent nos.23 and 24.

Coram:- C. V. BHADANG, J.

Date:- 2nd July, 2015

P.C.

Heard Shri Menezes, the learned Counsel for the appellants/
applicants and Shri Kakodkar, the learned Counsel for the respondent
no.22, Ramrao Lotlikar.

2. This is an application for effecting service on respondent nos.19
and 20 through their attorney, who is respondent no.22, Ramrao
Lotlikar.

3. It is submitted that a copy of the power of attorney, which is
annexed to the application and which is executed by the respondent

nos.19 and 20, gives an authority to employ an Advocate and to contest the legal proceedings.

4. It is submitted by Shri Kakodakar that there are no social contacts and as such, the respondent no.22 would not accept the risk of service of the respondent nos.19 and 20.

5. Shri Menezes, the learned Counsel for the applicants submits that he will also simultaneously take steps for service of respondent nos.19 and 20, by substituted service/ publication.

6. In such circumstances, without going into the aspect at this stage whether the applicants can legally effect service of the respondent nos.19 and 20 on the respondent no.22, the application is allowed, subject to statement that the applicants will also take steps for service on the respondent nos.19 and 20, by substituted service/ publication.

C. V. BHADANG, J.

SMA