

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.456 OF 2015
IN
FIRST APPEAL NO.1357 OF 2011**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.D.D.Shinde for the applicant

Mr.C.M.Lokesh for respondent no.2 i/b
M/s.G.S.Hegde and Associates for the
respondent no.2

CORAM : K.K.TATED, J.
DATED : 06/02/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by original claimant for substitute service under Order 5 Rule 20 of the Code of Civil Procedure for serving respondent nos.1 and 3 by publication in newspaper.
- 3 Respondent no.3 is United India Insurance Co.Ltd. Applicant is directed to provide the present correct address of respondent no.3 within four weeks from today. If present correct address is provided by the applicant, office is directed to issue notice to the respondent no.3.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing them to serve respondent no.1 by publication. Hence, the following order:

a) Civil Application is allowed in terms of prayer clause (b) permitting applicant to serve respondent no.1 by publication which read thus:

“(b) Applicant may be permitted to public the notice in Daily Business Standard Bangaluru.”

b) Applicant is permitted to provide present correct address of respondent no.3 within four weeks from today.

c) If present correct address of respondent no.3 is provided within stipulated time as stated hereinabove, office is directed to issue notice to respondent no.3, returnable after eight weeks.

d) In addition to usual mode of service, the applicant is directed to serve the Respondent no.3 by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect on or before next date.

e) Civil Application is disposed of accordingly.

(K.K.TATED, J.)