

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

**CIVIL APPLICATION NO.1285 OF 2015
IN
FIRST APPEAL NO.1379 OF 2013**

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.H.Mehta i/b M/s.Shah & Sanghavi for the applicant

Mr.M.H.Kane i/b M/s.W.S.Kane and Co. for the respondent no.1

Mr.Prashant Rahade i/b Mr.R.M.Haridas for respondent no.3

CORAM : K.K.TATED, J.
DATED : 27/03/2015

PC:

- 1 Not on board. At the request of Advocate for the applicant, matter is taken on board.
- 2 Leave to amend. Amendment be carried out during the course of the day.
- 3 Heard the learned counsel for the parties.
- 4 This application is for substitute service on some of the respondents as stated in Civil Application.

5 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 the present Civil Application. Hence, following order:

A) Civil Application is allowed in terms of prayer clause (a) which read thus:

“(a) This Hon'ble court be pleased to allow the Applicant to carry out substituted service on the Original Respondent No.2 and newly added Respondent No.3 and 4 by (1) publishing a public notice in two daily newspapers (a) Free Press in English and (b) Navshakti in Marathi; (2) by sending notice at the residence of the Original Respondent No.2 and newly added Respondent Nos.3 and 4 by Registered Post A.D. and (3) by affixing true copy of notice on the Notice Board provided for, of this Hon'ble High Court as well as the last known address of the Original Respondent No.2 and newly added Respondent Nos.3 and 4.”

B) Notice be made returnable after 12 weeks.

C) Civil application stands disposed off

accordingly.

D) In order dated 27.2.2015 passed by this court in Civil Application No.4206 of 2014, following correction be carried out:

(i) In paragraph 2 line 3 “TV” be substituted as “V”.

E) Rest of the order remains as it is.

F) The original order shall stand corrected accordingly.

(K.K.TATED, J.)