

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.2265/2015
IN
FIRST APPEAL (ST) NO.9063/2007

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. C. M. Lokeshappa for the Applicant

CORAM : K. K. TATED, J.
DATE : JULY 7, 2015

P.C.:

1. Mentioned. Not on board. At the request of learned counsel for the Applicant, the matter is taken on board for urgent orders.

2. This Application is preferred by the opposite party for restoration of Civil Application No.2394/2007 with Civil Application No.2395/2007 which was dismissed in view of conditional order dated 17/04/2015 passed by the learned Registrar (Judicial-II) of this court.

3. The learned counsel for the Applicant submits that they tried to find out the present correct address of the Respondent, however no one

has informed them. The learned counsel for the Applicant submits that this Hon'ble Court be pleased to permit the Applicant to serve the Respondent by way of substitute service under Order V Rule 20 of the Code of Civil Procedure, 1908 by publication in news paper.

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 the present Civil Application.

5. Hence, the following order:

a) Order dated 17/04/2015 passed by the learned Registrar (Judicial-II) of this court is set aside.

b) Civil Application No.2394/2007 and Civil Application No.2395/2007 restored to file for hearing and final disposal on its own merits.

c) The Applicant is directed to serve the Respondent by substitute service under Order V Rule 20 of the Code of Civil Procedure, 1908 by publication in 2 news papers, returnable after 12 weeks.

d) Civil Application stands disposed off accordingly.

JUDGE