

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

**CIVIL APPLICATION NO. 354 OF 2015
IN
FIRST APPEAL (ST.) NO. 32609 OF 2012**

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. Lokesh for the applicant.

**CORAM : K. K. TATED, J.
DATED : 13/02/2015.**

PC.:

. Heard learned Counsel for the applicant.

2 This application is for restoration of First Appeal (St.) no. 32609 of 2012 with connected Civil Applications against unserved respondent nos. 2 and 3, which were dismissed as per order dated 19.08.2014 passed by the Registrar (Judicial-II).

3 The learned Counsel for the applicant submits that they tried to find out present correct address of respondent nos. 2 and 3. He submits that inspite of of search, they have not learnt the present correct address of respondent nos. 2 and 3. Hence, applicant has preferred Civil Application no. 642 pf 2015 for substitute service. He submits that in the interest of justice this Hon'ble Court be pleased to set aside the order dated 19.08.2014 restoring Civil

Application no. 03 of 2013 and allow the applicant to serve these respondents by substitute service.

4 Considering the submissions made by learned counsel for the applicant and averments made in civil application, I am satisfied that applicant has made out the case for allowing the civil application.

5 Hence, the following order:

a) Delay in preferring the Civil Application is condoned.

b) Order dated 19.08.2014 passed by Registrar (Judicial-II) is set aside.

c) Civil Application no. 3 of 2013 with First Appeal (ST.) no. 32609 of 2012 is restored against unserved respondent nos. 2 and 3.

d) Civil Application is disposed of accordingly.

(K.K.TATED, J.)