

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 10 OF 2016

IN

MISC.CIVIL APPLICATION (MAIN) NO. 1024 OF 2013

MS.SUSAN EVE CORTEZ, REP. THROUGH
HER ATTORNEY MRS.CELSA CORTEZ.

... Applicant

Versus

MR.TOMMECHAN @ THOMAS KURIAKOSE
AND ANR.,

... Respondents

Mr. Anthony Joe D'silva, Advocate for the applicant.

Coram:- S. B. SHUKRE, J.

Date:- 12th January, 2016

P.C.

Heard Mr. D'Silva, the learned Counsel for the applicant. None for the respondent no.2.

2. It is submitted by the learned Counsel for the applicant that in pursuance of the order passed by this Court on 30/01/2014, notice was issued to the respondent no.1 through Registered Post with Acknowledgement Due Card. However, as submitted by the learned Counsel for the applicant, the Acknowledgement Card was never received by the applicant nor the envelope containing the notice was returned by the Postal Authorities.

3. It is seen from the orders passed by this Court on 30/01/2014 and also on 23/01/2015 that the applicant has made reasonable efforts to see that the respondent no.1 is duly served. The efforts taken by the applicant have not bore any fruits so far. It would be, therefore

appropriate to allow the applicant to effect service of notice upon the respondent no.1 through paper publication.

4. Accordingly, this application is allowed. The applicant is permitted to serve the respondent no.1 by publishing notice in any English newspaper having reasonably wide circulation in the Ontario, Canada and at the place of last known residence of the respondent no.1.

5. The application stands disposed of.

S. B. SHUKRE, J.

SMA