

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.888 OF 2016
IN
FIRST APPEAL NO.167 OF 2007
IN
SUIT NO.811 OF 80

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
<u>CORAM : AJIT N. MARE,</u> <u>REGISTRAR (JUDL – II)</u> Date : 7th April, 2016 Perused. Heard Advocate for the Applicant. The Notice issued to Respondent No.1 is returned unserved as the premises were found locked and he did not reside there any more. Statement is made in Civil Application that in earlier Civil Application also Respondent No.1-C i.e. Mr.Narendra is served by way of substituted service as he was not found on the address. The statement is supported by an Affidavit. The proceedings reveals that address of Mr.Narendra before the Trial Court and in the present C.A. is one and the same. The order in Civil Application No.3752/2004 also reveals that Notice on Mr.Narendra was served by	

way of pasting.

In view of this, there appears no other alternative to serve Respondent No.1 - Mr.Narendra except by adopting mode of substituted service provided in Rule 20 of Order V of C.P.C. Hence the C.A. is allowed in terms of prayer clause (a).

sd/-
Registrar (Judl.-II)

dsm – R(J-II) – 07.04.16