

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4137 OF 2016
IN
FIRST APPEAL NO.1354 OF 2002

Office notes, Office Memorandum of Coram, appearance, Court's order or directions and Registrar's orders	Court's or Judge's order.
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CORAM :- A.N. MARE.
REGISTRAR (JUDL-II)

Date :- 28/09/2016

None present.

Perusal of proceeding reveals that notices sent to Respondent Nos.5 and 6 are received unserved with remarks 'incomplete address' and 'gone out' respectively. Respondent No.5 was the petitioner No.5 before M.A.C.T., Pune whereas respondent No.6 herein was opponent No.1 before M.A.C.T., Pune. The addresses of both of them are the same throughout the proceeding. In view of this, the case is made out to serve respondent No.5 by substituted service. However, it is not so in respect of respondent No.6 as the notice is returned unserved for the

reason that respondent No.6 was not found at the time when the bailiff had gone to serve the notice. He can be served by sending the notice through R.P.A.D. Hence, the Order.

: **ORDER** :

- 1) C.A. is partly allowed as against respondent No.5 in terms of prayer Clause A and B.
- 2) The applicant to supply postal stamps to send notice to respondent No.6 by R.P.A.D., within three weeks.
- 3) C.A. is disposed of accordingly.

sd/-
REGISTRAR (JUDL.-II)