

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

CIVIL APPLICATION NO.536/2014
IN
CIVIL REVISION APPLICATION NO.236/2013

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. Rahul R. Raghuvanshi i/b. Ram & Co. for the applicant

CORAM : K. K. TATED, J.

DATE : MARCH 15, 2016

P.C.:

1. Heard. This application is under Order V Rule 20 of the Code of Civil Procedure, 1908 for substitute service on respondent No.1.

2. The learned counsel for the applicant submits that the notice issued to the respondent No.1 returned unserved with Bailiff remark "***not residing at the given address***". He submits that thereafter the applicant tried to served the respondent by R.P.A.D. that also returned with postal remark "***residing out of India***". He submits that the applicant tried to find out present correct address of the respondent, however in vain. Hence, the applicant made the civil application for substitute service.

3. Considering the submissions made by the learned counsel for the applicant and the averments made in para 6 of the application for substitute service, I am satisfied that the applicant has made out a case for allowing the civil application.

4. Hence, following order is passed:

a. Civil application is allowed in terms of prayer clause (a), which reads thus:

“a. That this Hon'ble Court be pleased to permit the applicant to serve respondent NO.1 through substituted mode of service by publishing notice in FREE PRESS JOURNAL English local Newspaper and Marathi NAVSHAKTI local Newspaper, returnable after 8 weeks.”

b. Civil application stands disposed off accordingly.

JUDGE