

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1557 OF 2016
IN
CIVIL APPLICATION NO.1111 OF 2012
IN
SECOND APPEAL (ST) NO. 11079 OF 2012

Vishal Tower Co-operative Housing Society Ltd. Applicants

VERSUS

Jagdish M. Nair & Ors. Respondents

Mr.R.V.Govilkar, i/b. Mr.Prakash Mahadik for the Applicants.

Mr.Pramod Pawar for the Respondent no.1.

CORAM : R.D. DHANUKA, J.

DATE : 30th NOVEMBER, 2016

P.C.

Not on board. Taken on board.

2. By this civil application, the applicants seek permission to serve respondent nos. 11A to 11D by substituted service. Mr.Govilkar, learned counsel appearing for the applicants invited my attention to the annexures 'A' to 'A-2' to the civil application and would submit that the papers and proceedings of the second appeal were attempted to be served upon the respondent nos. 11A to 11D. He submits that none of those respondents have claimed service.

3. In my view since the respondent nos. 11A to 11D have not claimed service, it amounts to good service. In my view no order for substituted service is required to be passed in this civil application. Civil application is disposed of in the aforesaid terms on the premise that respondent nos. 11A to 11D are deemed to have been served. No order as to costs.

(R.D.DHANUKA, J.)