

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4388 OF 2016
IN
FIRST APPEAL NO.1365 OF 2011

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
Advocate for the Applicant Present. <u>CORAM : AJIT N. MARE,</u> <u>REGISTRAR (JUDL – II)</u> Date : 24th October, 2016 On verification of cause title of First Appeal and its Civil Application, it is seen that address of Respondent Nos.1, 2 and 4 are same as per Lower Court order. The Notice issued to Respondent Nos.1, 2 and 4 are returned unserved with remark "Address not found and want of full and correct address". Respondent Nos.1, 2 and 4 were Defendants in the proceedings before the City Civil Court, Mumbai and were served on same address. Hence, it is evident that Respondent Nos.1, 2 and 4 cannot be served by regular mode of service. There is no other way to serve Respondent Nos.1, 2 and 4 except by way of Publication of Notice in one English Newspaper, Free Press Journal and one	

daily Hindi local Newspaper, Navshakti as mentioned in prayer clause of Civil Application.

In view of this, Civil Application is allowed in terms of prayer clause (a). Issue Publication Notice to Respondent Nos.1, 2 and 4.

sd/-
Registrar (Judl.-II)

dsm – R(J-II) – 24.10.16