

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION (St.) No. 25375 of 2016
In
FIRST APPEAL (St.) NO. 18435 OF 2014

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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CORAM : R.M. Joshi,

I/c. REGISTRAR (JUDL-II)

Date : 15/03/2017

Advocates for Appellants and Respondent present.

By this Civil application, appellant is seeking publication of notice against Respondent No. 1 in newspaper. On the other hand statement is made by the Appellant that inspite of effort being made to trace fresh address of Respondent No. 1, the same cannot be traced. Perusal of Bailiff report shows that there is no one to give information with regard to Respondent No. 1, for that reason service of notice could not be done.

It appears from Bailiff's report, it is not possible to effect service on Respondent by regular mode. The office has raised objection regarding maintainability of the application on the ground that there is appearance on behalf of Respondent No. 1. However, Ld. Advocate for the appellant has pointed out that the VP is filed on behalf of Respondent No. 2- Insurance company and not Respondent No. 1. There is substance in the said contention of the Ld. Advocate. Perusal of VP on record does not show that it is filed on behalf of Respondent No. 1.

In view of the above Civil Application is allowed. Notice be issued returnable in 8 weeks.

Registrar (Judl.-II)

