

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.12 OF 2017
IN
CIVIL REVISION APPLICATION NO.105 OF 2007**

Mrs. Meenakshi Tulsidas Bhatt and others ..Applicants

IN THE MATTER BETWEEN

Mrs. Meenakshi Tulsidas Batt and others ..Applicants

Versus

Pradyuman Popatlal Bhankaria

(Since deceased by his legal heirs)

Sunita Pradyuman Bhankaria and others ..Respondents

Ms. Pooja Kharat i/by Dahibawkar & Co., for the Applicants.

Mr. Nachiket Khaladkar i/by Mr. P. S. Dani for the Respondent No.1B.

CORAM : R. M. SAVANT, J.

DATE : 25th APRIL, 2017

PC.

1 The above Civil Application has been filed for effecting substituted service on the heirs of the Respondent No.1 i.e. Respondent Nos.1A, 1B, 1C and 1D. The Learned Senior Counsel Shri. P. S. Dani prior to his designation as a Senior Advocate had filed his Vakalatnama for the Respondent No.1B who is one of the heirs. The Bailiff report indicates that the Respondent Nos.1A, 1C and 1D are not found and the address of the Respondent No.1B is not traceable. The Learned Counsel Mr. Nachiket Khaladkar appearing for Shri. P. S. Dani states that they have

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tried to establish contact with the Respondent No.1B but the attempt has not been successful as yet. He therefore seeks further time. In view of the aforesaid facts, it would be just and proper to allow the Civil Application in terms of prayer clause (a). The Applicants are permitted to serve the Respondents by publishing notice in the daily newspaper "Free Press Journal in English and "Janma Bhoomi" or "Mumbai Samachar" in Gujarati. Notice to indicate that the same is made returnable on 12.06.2017. After the paper publication, the Learned Counsel for the Applicants to file affidavit of service annexing the said paper publication. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]