

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CHAMBER SUMMONS NO. 316 OF 2017
IN
CHAMBER SUMMONS NO.1673 OF 2016
IN
SUIT NO.1280 OF 2007**

Ramesh Vajabhai Rabari	Plaintiff/Applicant
V/s.	
Betram Peter D'Mello & Ors.	...Defendants
And	
M/s.Kirti Construction & Ors.	Respondents

Mr.Himanshu Vidhani i/by Khaitan & Co. for the Plaintiff/Applicant.
Mr.Atul Khatriya i/by Prashant Ghelani for defendant No.9.
Mr.Ralston Fernandes for Respondant No.2.

CORAM : S.C. GUPTE, J.

21 JULY 2017

P.C. :

Heard learned Counsel for the parties.

2 This chamber summons seeks an order of substituted service on Respondent No.1 through publication. The original chamber summons, namely, Chamber Summons No.1673/2016, is taken out by the Plaintiff / Applicant for impleadment of three Respondents. Whereas Respondent Nos.2 and 3 have been duly served, Respondent No.1 could not be served and hence, this application for substituted service.

3 For the reasons stated in the affidavit in support of the chamber summons, the chamber summons is allowed by permitting substituted service through publication in two local newspapers circulating in Mumbai,

namely, “Free Press Journal” in English and “Mumbai Samachar” in Gujarati. Returnable date to be communicated as “18 August 2017”. Replies to Chamber Summons No.1673/2016 to be filed by the Respondents served with the chamber summons within three weeks from today.

(S.C. Gupte, J.)