

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO.187 OF 2017**

Ramesh D Shah & Ors

...Petitioners

Versus

Zenal Construction Pvt Ltd & Ors

...Respondents

Mr Neil Patel, *with Mr Sujit Suryawanshi, i/b Vigil Juris, for the
Petitioners.*

CORAM: G.S. PATEL, J
DATED: 5th May 2017

PC:-

1. The Petition is for leave under Order I Rule 8 of the Code of Civil Procedure 1908 to sue a representative capacity.
2. The Petitioners are 10 of a total of 18 flat purchasers. The Petitioners have not been able to trace the whereabouts of the other eight flat purchasers. I am satisfied that the interests of all the flat purchasers are common and shared and I am inclined to grant leave.
3. The Petitioners will in the first instance try and ascertain the addresses of the other eight flat purchasers and give them individual notice. This is to be done within a period of six weeks from today. If

that is not possible, the Petitioners will then issue an advertisement in the Mumbai Mirror and Janmabhumi referencing this litigation and this order. On these terms leave is granted and the Petition is made absolute.

(G. S. PATEL, J.)