

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

NOTICE NO.1828 OF 2015

IN

EXECUTION APPLICATION NO.1944 OF 2015

M/s. Indusind Bank Limited

....Claimant

Vs.

Nelson Soman and Anr.

....Respondents

Mr. Padmakar S. Garad i/b. SG Legal and Associates for claimant/applicant.
None for respondents.

CORAM : K.R.SHRIRAM, J.

DATE : 12th JULY, 2017

PC.:

1 There is one joint affidavit of service of S.G. Pujari and Nilesh Jadhav, Bailiffs in the office of Sheriff of Mumbai, affirmed on 1st February, 2017, in which it is stated that respondent no.1 has been served on 31st October, 2015. So far as respondent no.2 is concerned, it is stated that he was not found in the premises and they were informed he left the premises three years prior thereto. The notice was issued on 9th October, 2015. There is no explanation whatsoever as to why applicant did not take steps for almost 20 months to attempt to serve respondent no.2.

2 Mr. Garad, counsel for applicant seeks one last opportunity to serve respondent no.2.

3 Registry to issue fresh notice returnable on 16th August, 2017.
If the notice is not served within one week from today, the notice will stand

discharged as against respondent no.2 without further reference to this court.

4 So far as respondent no.1 is concerned, notice is made absolute and accordingly stands disposed.

5 Further steps to be taken within four weeks.

(K.R. SHRIRAM, J.)