

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2142 OF 2017
IN
FIRST APPEAL ST. NO.21213 OF 2015

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
None Present. <u>CORAM : V.R. KACHARE</u> <u>REGISTRAR (JUDL – II)</u> Date : 27th July, 2018 The Learned Advocate for the Applicant is absent. On last date, the learned Advocate Aarti Taware for the Applicant has made a submission that she will produce a copy of Newspaper of Publication which was infact incorrect statement, yet Civil Application for Publication is pending. Perused papers and remark of office. This matter has placed for substitute service by way of the Publication in Newspaper “Free Press Journal” and “Navshakti”. Perused record. It appears that Notices issued to Respondent Nos.1 and 2 returned unserved by Bailiff's remark “Not found, room found locked. Hence pasted on outer door” and “Respondent No.2 left the said premises since 15 years back. Hence pasted on outer door”, respectively.	

Moreover, R.P.A.D. Notice issued to Respondent No.1 is duly served, R.P.A.D. Notice issued to Respondent No.2 returned unserved with postal remark “unclaimed”.

The addresses mentioned in this Civil Application and First Appeal memo and also in Lower Court judgment are the same of the Court of M.A.C.T. Mumbai.

This is sufficient to allow the application regarding substitute service of Respondent No.2 by way of Publication i.e. “Daily Newspaper”, “Free Press Journal” and “Navshakti”.

In view of this, Civil Application for Publication is allowed against Respondent No.2 and to be proceed against Respondent No.1 returnable by 6 weeks.

sd/-
Registrar (Judl.-II)

dsm – R(J-II) – 27.07.18