

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST) NO.7828/2018
IN
FIRST APPEAL NO.446/2015

Rajendra Laxman Khilari & Ors.

... Applicants

V/s.

Ms/. Rainbow Business Park & Ors.

... Respondents

Mr. Nitin Parkhe for the Applicants

Mr. Nishant Tripathi with vaibhav Badgar with Somnath Iyer i/b. M.
Tripathi & Co. for the Respondent No.10.

Mr. Pankaj J. Das for Respondent No.11.

**CORAM: K.K. TATED &
B. P. COLABAWALLA, JJ.**

DATED : MARCH 23, 2018

P.C. :

1 Heard. This Application is made by the Plaintiff for permission to serve the Respondent No.7 as per Order V Rule 20 of the Code of Civil Procedure, 1908.

2 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, we are satisfied that the Applicant has made out a case for allowing the present Civil Application.

3 Hence, the following order:

a) Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) That the Appellants be allowed to serve Notice upon the Respondent No.7, by way of substituted service, by pasting of Notice upon some conspicuous part of the last known address I.e Smt. Padmini Motwani c/o. Amrut S. Israni, Gitanjali Cooperative Housing Society, Bldg No.10/2/1, Sector No.4, Sanpada, Navi Mumbai-400703 and/or by paper publication of Notice in daily newspapers, Free Press Journal in English and Navshakti in Marathi.”

b) The Applicant to publish notice in two leading news papers within 12 weeks from today.

c) Civil application stands disposed off accordingly.

(B. P. COLABAWALLA, J.)

(K.K. TATED, J.)