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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.981 OF 2018
IN
WRIT PETITION NO.1043 OF 2016

Satishdham Co-op. Hsg. Soc. Ltd. ...Applicant

IN THE MATTER BETWEEN :

Satishdham Co-op. Hsg. Soc. Ltd. ...Petitioner

V/s.

The Competent Authority & Deputy District
Registrar, Co-op. Hsg. Soc. & Ors. ...Respondents

Mr.Sandesh Deshpande for the Applicant / Petitioner.

Mr.S.D. Rayrikar, A.G.P. for the State – Respondent No.1.

CORAM : R.D. DHANUKA, J.
DATE : 13TH JUNE, 2018.

P.C. :-

1. By this civil application, the applicant seeks permission to serve the respondent nos.2 to 5 by paper publication in daily newspaper "Thane Vaibhav". Learned counsel for the applicant states that the said newspaper has wide publication in the Thane district. It is submitted that the papers and proceedings along with the notices are returned unserved with the remarks "Not found".

2. A perusal of the averments made in the civil application clearly indicates that the applicant has made out a case for grant of

reliefs in terms prayer clauses (a) and (b). For the reasons recorded in the civil application, the civil application is made absolute in terms of prayer clauses (a) and (b).

3. Place the writ petition on board for admission on 17th July, 2018. In the public notice, the date of admission of the writ petition shall be mentioned with a direction to the respondent nos.2 to 5 to remain present before this Court on that date or on any subsequent date. The notice shall also indicate that affidavit in reply shall be filed within two weeks from the date of publication of notice upon the respondent nos.2 to 5 and a copy thereof shall be served upon the petitioner's advocate simultaneously.

4. It should be made clear that if the respondent nos.2 to 5 remain absent on the next date, the matter would be proceeded with *ex-parte* against them. The notice shall be published within one week from today and the affidavit of service shall be filed on or before the next date.

5. Issue notice upon the respondent no.6 at the new address given in the civil application, returnable on the same date.

6. The civil application is disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)