

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.213 OF 2017
IN
CIVIL REVISION APPLICATION NO.208 OF 2015
IN
APPEAL NO.435 OF 2010
IN
MISC. APPLICATION NO.419 OF 2009
IN
R.A.E. SUIT NO.2592 OF 1991**

Mr.Ukesh Ratilal Pithadia & Anr.

..Applicants

Vs.

Mr.Narendra Abheraj Baldota & Ors.

..Respondents

Ms.M.J. Reena Rolland for Applicants.

None for Respondents.

CORAM : G.S. KULKARNI, J.

DATE : 4th JANUARY, 2018

P.C.:

Leave to amend to correct the surname of Mr.Yashesh Subhash Baldota which has been wrongly spelt as "Baltoda". Amendment be carried out forthwith.

2. By this application, the applicants pray for service by publication against respondent No.3 Yashesh Subhash Baldota.

3. The office report indicates that the respondent No.3 is no more staying at the address set out in the cause title and that the Bailiff, on inquiry, has reported that the respondent No.3 is staying at Pune and is sometimes visiting the address as referred in the cause title.

4. Considering the office report and the averments made in the civil application, the Civil Application is allowed in the following terms:-

- (i) The applicants are permitted to serve the respondent No.3 Yashesh Baldota by publication of a notice in the newspaper Free Press Journal, Mumbai, as also a local newspaper in proper circulation at Pune;
- (ii) Service as per above direction be effected within a period of four weeks from today;
- (iii) Notices by way of publication be placed on record of this Court on affidavit once they are published;

5. Civil Application is disposed of in the above terms. No costs.

[G.S. KULKARNI, J.]