

Rane

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CAM (ST)-35404-2017
(SR.901)
Thursday, 15.2.2018

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST) NO. 35404 OF 2017
IN
FAMILY COURT APPEAL NO. 157 OF 2005

Shri. Niteen S/o. Sharadchandra

Mokashi

....Applicant

V/s.

Shri. Nayan @ Kanchan Niteen

Mokashi

....Respondent

* * * * *

Mr. K.S. Mohite, Advocate for the applicant.

Mrs. Sandhya O. Sharma, Advocate for the respondent.

CORAM :-

R.M.SAVANT, &

SANDEEP K. SHINDE, JJ.

DATE :-

15TH FEBRUARY, 2018.

P.C. :-

1. The objection in respect of non-filing of the second set stands removed as the Learned Counsel for the applicant-appellant tenders the second set of the Civil Application in Court. The above Civil Application has

been filed for effecting substituted service on the respondent. The reasons therefor are mentioned in the Civil Application. The Learned Counsel Ms. Sandhya Sharma who had filed her appearance on behalf of the respondent, is personally present in Court as per the directions issued in the last order dated 8th February, 2018. However, she states that, neither the respondent has contacted her nor her attempts to contact the respondent has borne fruit. She further states that, the whereabouts of the respondent are not known. The Learned Counsel appearing for the applicant/appellant seeks to effect substituted service by publishing Notice in daily newspaper for circulation in District- Surendra Nagar, Gujarat where the respondent is supposed to be residing and in a newspaper having circulation in Badlapur in District- Thane. The Civil Application is accordingly allowed and made absolute in terms of prayer clause (a). The notice to the respondent is made returnable on 2nd April, 2018. The Learned Counsel for

Rane

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the applicant to publish the Notice in the said daily newspapers having circulation in Surendra Nagar, Gujarat and Badlapur, Thane and file affidavit of service. Stand over to 2nd April, 2018.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)