

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
LEAVE PETITION NO. 204 OF 2018
IN
SUIT NO. 189 OF 2017

Fountain Square Residents and Commercial Welfare Association Mumbai	...Plaintiff
<i>Versus</i>	
Shree Shubh Builders Pvt Ltd & Ors	...Defendants

Mr RP Shitole, i/b Khare Legal Chambers, for the Plaintiff.
Mr DR Shetty, Court Receiver is present.

CORAM: G.S. PATEL, J
DATED: 9th July 2018

PC:-

1. The Petition is for leave under Order I Rule 8 of the Code of Civil Procedure 1908 to sue in a representative capacity. The Plaintiff is an Association of residents and purchasers of units in a project called Fountain Square under construction in Oshiwara. The Plaintiffs state that they are unaware of the particulars of every one of the unit purchasers. Leave is sought on this basis.

2. I am inclined to grant leave but subject to the Plaintiffs giving at their expense a notice of the institution of this Suit by a public advertisement in such form as the Prothonotary and Senior Master

may direct since, in my view, personal service is not possible. Leave granted on these terms.

3. The Petition is disposed of in these terms. No costs.

(G. S. PATEL, J)