

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 205 OF 2019

SHIVA SUBHAN GANDHI AND ANR., ... Petitioners

Versus

SUBHAN S. GANDHI AND ANR., ... Respondents

Mr. Rohit Bras De Sa and Ms. V. Shet, Advocate for the
Petitioners.
Ms. Nisha R. Asurkar, Advocate for the Respondent no.2.

Coram:- C. V. BHADANG, J.

Date:- 20th June 2019

P.C.

Heard Mr. D'Sa, the learned Counsel for the petitioners.

2. There is a serious doubt whether a service by whats-app is permissible under the present regime of the modes of service available in law. However, it is not necessary to go into this aspect inasmuch as, the learned trial Court on facts has refused to allow the service by whats-app on the ground that there is no affirmation on record that the mobile numbers on which the service was to be effected through whats-app, are still being used by the persons who are proposed to be served by such service. The mobile numbers are from Karnataka while according to the petitioner, the respondents proposed to be served are presently residing in Japan.

3. I see no reason to interfere with such an order which is passed by the learned trial Court as the view taken is a plausible view.

4. The learned Counsel appearing for the petitioners submits that the petitioner shall make an attempt to serve the Judgment Debtor no.1(a) and 1(b) at their last known address and also by email.

5. If such an application is filed, the learned trial Court shall decide it on its own merits and in accordance with law.

6. Petition stands disposed off.

C. V. BHADANG, J.

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