

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.1645/2019

in

First Appeal No.47/2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr. Samir M. Suryawanshi I/b. Himanshu Kode for the Applicant

CORAM: K.K.TATED, J.
DATED : OCTOBER 14, 2019

P.C.

1 Pursuant to the praecipe filed by the learned counsel for the Applicant, the matter is taken on production board.

2 By this Civil Application, the Applicant is seeking permission to serve the Respondent by substituted service under Order 5 Rule 20 of the Code of Civil Procedure, 1908.

3 The learned counsel for the Applicant submits that the notice issued to Respondent by registered post returned unserved with remark "left the premises". In support of his contention, he relies on Affidavit of Service dated 07.12.2018, Exhibit-B to the Civil Application.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed:

a. The Applicant is permitted to serve the Respondent by substituted service under Order 5 Rule 20 of the Code of Civil Procedure, 1908 by paper publication in two leading newspapers i.e. one in English and another in vernacular having wide circulation and file an Affidavit of Service on or before 13.12.2019 failing which the Civil Application shall stand dismissed without further reference to the court.

b. The Civil Application stands disposed of accordingly.

c. No order as to costs.

(K.K.TATED, J.)