

Tikam

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

CIVIL APPLICATION No. 226 OF 2019
IN
MISC. CIVIL APPLICATION No. 39 OF 2019

Snehal R. Jangam	...Applicant
Vs.	
Rahul M. Jangam	...Respondent

Mr. Nitin V. Gangal for Applicant

CORAM : SHRI K.K. TATED, J.

DATE : JUNE 26, 2019

P.C.:

1. Not on Board. At the request of learned counsel for the Applicant, matter is taken on board.
2. By this civil application, the applicant wife is seeking permission to serve the Respondent by substituted service of notice within the meaning of Order 5 Rule 20(1) of the Civil Procedure Code.
3. By Misc. Civil Application No. 39 of 2019 under Section 24 of the Civil Procedure Code, the Applicant wife is seeking transfer of Marriage Petition No. A 2979 of 2018 filed by the Respondent husband under Section 13(1) (i-a) of the Hindu Marriage Act, 1955 before Family Court, Bandra to the Court of Civil Judge, Senior Division, Islampur, Dist. Sangli.
4. Learned counsel Mr. Nitin Gangal for the Applicant submits that the Applicant tried to serve the Respondent more than five times and always he refused to accept the same. Not only that, on 18th April, 2019, the Applicant tried to serve the Respondent at Family Court, Bandra,

but, he refused to accept the same. Hence, they preferred application for substituted service.

5. 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 this civil application.

6. Hence, following order:

(a) Civil Application is allowed in terms of prayer clauses (a) which reads thus:

“(a) This Hon'ble Court be pleased to pass an Order of substituted service of notice within the meaning of Order 5 Rule 20 (1) of CPC in the present matter directing Court bailiff to affix a copy thereof in some conspicuous place in the Hon'ble High Court premises and also upon some conspicuous part of the house address of Respondent as mentioned in the cause title.”

(b) Civil Application stands disposed of accordingly.

[K.K. TATED, J.]