

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1139 OF 2019****IN****SECOND APPEAL (ST) NO. 10641 OF 2017****The Nasik Merchants' Co-op. Bank Ltd.
Nashik****..... Applicant****IN THE MATTER BETWEEN****The Nasik Merchants' Co-op. Bank Ltd.
Nashik****..... Appellant****VERSUS****Nilesh Kalantri & Ors.****..... Respondents**

Ms.Niraja R. Patani for the Applicant.

Ms.Rukmini Khairnar for the Respondent no.2.

CORAM : R.D. DHANUKA, J.**DATE : 27th AUGUST, 2019****P.C.**

By this civil application, the appellant seeks permission to serve the respondent no.1 by substituted service i.e. by publication of notice in the newspaper prescribed in prayer clause (a) of the civil application.

2. I have perused the averments made in the civil application. The applicant has made out a case for permission to serve the respondent by substituted service.

3. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (a) with clarification that the

notice shall be published in the newspaper 'Lokmat' having Mumbai Edition. The notice shall be published within one week from today. It should be made clear in the notice that if the respondent no.1 remains absent, the matter would be proceeded *ex-parte* against him.

4, Civil application is disposed of on the aforesaid terms. No order as to costs.

5. Place the second appeal on board for admission on **1st October,2019.**

[R.D.DHANUKA, J.]