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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1144 OF 2019
IN
SECOND APPEAL (STAMP) NO.14578 OF 2018

Sitabai N. Rokade, since deceased through Her L.R. - Nivrutti N. Rokade V/s.	...Applicant
Sanjay B. Rokade & Ors.	...Respondents

Mr.Sumit S. Kothari for the Applicant.

Mr.Makarand Kale for the Respondent No.8.

Ms.Shital Tanpure with Mr.Santosh Wagh for the Respondent No.11.

CORAM : R.D. DHANUKA, J.
DATE : 17TH SEPTEMBER, 2019.

P.C. :-

1. By this civil application, the applicant seeks permission to serve the respondent no.17 by substituted service and prays for setting aside the order dated 25th March, 2019 passed by the Registrar (Judicial-II) and for condonation of delay in filing the civil application.

2. There is no dispute that the respondent no.17 was served by publication even before the learned trial Court as well as before the First Appellate Court. The applicant has thus made out a case for the reliefs as prayed.

3. For the reasons recorded in the civil application, the civil application is made absolute in terms of prayer clause (a) to (d). The service shall be effected on the unserved respondent no.17 by publication in the newspaper described in prayer clause (d) of the civil application within four weeks from today. Affidavit of service shall be filed within one week thereafter.

4. The civil application is disposed of on aforesaid terms. There shall be no order as to costs.

(R.D. DHANUKA, J.)