

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1727/2019

IN

FIRST APPEAL (ST)NO.6954/2017

The Commissioner Nashik
Municipal Corporation

.... Applicant.

Vs.

Smt.Kalawati G. Chandrate & Ors.

... Respondents.

Advocate Mr.M.L. Patil for applicant.

Advocate. Mr. M.S. Mulla I/b Sachin Gate for respondent
no.6.

Advocate Mrs.Anamita Malhotra AGP for respondent no.7.

CORAM : K.K.TATED, J.

DATED : JULY 8, 2019.

P.C.

Not on board. Pursuant to preceipe dated 5.7.2019
filed by learned advocate for applicant, matter is taken on
production board for urgent orders.

2. Heard learned counsel for parties.

3. By this application, applicant/appellant is seeking
substituted service as per Order 5 Rule 20 of CPC on
respondents.

4 Considering the submissions made by learned advocate for applicant and the averments in civil application, I am satisfied that appellant has made out a case for following order.

A) Civil application is allowed in terms of prayer clause (a) which reads thus;

a)The respondent nos.1A to 1D, 1E1, 1E2, 2, 3 and 5 be served by substituted service as per Order 5 Rule 20 of CPC and also by an Advertisement published in the Daily Newspaper Divya Marathi and Lokmat English published from Nashik.”

B) Applicant to serve these unserved respondent by publishing notice in newspaper one Marathi and another English.

C) Service be completed on or before 30.9.2019 and file affidavit service to that effect, failing which civil application shall stand dismissed, without referring back to the court.

D) Civil application is disposed of.

E) No order as to cost.

(K.K.TATED, J.)

