

LEAVE PETITION NO.28 OF 2019

Ms.Vijaya Ingule-Mishra I/by Sean Wassoodew for petitioners.
None for respondents.

P.C.:-

1. This petition is filed under Order 1 Rule 8 of the Code of Civil Procedure, 1908 for filing the suit in a representative capacity for themselves and for and on behalf of other flat purchasers. It is stated that members of petitioner no.1 and petitioner no.2 are flat purchasers and they are entitled to represent other flat purchasers. It is stated that petitioners do not have details of other flat purchasers and according to petitioners, there are approximately 312 flat purchasers.
2. Leave is granted under Order 1 Rule 8 of the Code of Civil Procedure, 1908 subject to petitioners issuing a public notice in a mode, publication and form to be decided by the Prothonotary &

Senior Master. Reason for allowing public notice is that averment in the petition in paragraph 15(a) i.e., petitioners do not have full name and other details of the flat purchasers in the said project. Ms.Mishra for petitioners states that it is also not reasonably possible to effect personal service on the other persons in view of the same.

3. It is made clear that issuance of public advertisement is necessary. Petition is made absolute in these terms. No order as to costs. Petition disposed.

(K.R.SHRIRAM,J)