

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3456 OF 2020****IN****CIVIL REVISION APPLICATION NO. 147 OF 2017**

Shri Subramaniam (Deceased) Through LRs.

1(a) Smt. Radhamani (deceased)

1(b) Shri S. Sreenivasan &

1(c) Shri S. Narayan Aiyer

... Applicants

V/s.

1. Shri Ramshankar Shamnarayan Rai

(Deceased) Through LRs.

1(a) Shri Prabhakar Rai & Anr.

... Respondents

Mr.Ashutosh Gavnekar i/b. Mr.C.G. Gavnekar for Applicants.

Mr.Chetan Yadav a/w. Mr.Rajesh Yadav for Respondent Nos.2(a) to 2(c).

CORAM : A.S. GADKARI, J.**DATE : 30th August 2021.****PC. :**

1. This is an application for substituted service by affixing the summons on the conspicuous part of premises of Respondent No.1(a) Shri Prabhakar Rai, more particularly given in the Schedule (Exh.1) of the application.

2. Mr.Gavenkar, learned counsel appearing for Applicants submitted that, attempts were made to serve the Respondent No.1(a), however the service could not be effected. It is stated in the application that, the

Respondent No.1(a) is either deliberately trying to avoid service or due to his erratic timings, he is unable to be served with Court notice in the ordinary way.

3. In view thereof and for the reasons stated in the Application, Application is allowed in terms of prayer Clauses (a) and (b).

[A.S. GADKARI, J.]

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