

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 10522 OF 2022
IN
WRIT PETITION NO. 250 OF 2017**

RAJ CASTLE CO-OPERATIVE HOUSING
SOCIETY LTD.

....Applicant/Petitioner

V/s.

THE STATE OF MAHARASHTRA & ORS

.....RESPONDENTS

Ms Sangita S. Bhole for the applicant/petitioner

None for the respondents

Mr. C. D. Mali, AGP for respondent nos. 1 & 2

CORAM : NITIN W. SAMBRE, J.

DATED : 24th AUGUST, 2022

P.C.:

1. This application is taken out by the applicant/petitioner under the provisions of Order V Rule 20 of the CPC for grant of substitute service by way of paper publication.
2. The contentions are this Court has time and again granted an opportunity to the applicant/petitioner to serve the unserved respondents and all attempts made by the applicant/petitioner to serve the respondents were futile as the building in which the respondents were residing was demolished as could be inferred from the bailiff report. As such, it is claimed that the applicant/petitioner be granted permission to serve the

respondents by way of substitute service by publishing notice in the two newspapers - Free Press Journal and Navshakti.

3. The contentions of the applicant/petitioner are all efforts were made to effect service by the applicant/petitioner to serve the respondents and for the reasons beyond the control of the petitioner the service could not be effected can be inferred from records.

4. That being so, prayer for substitute service on all the respondents through paper publication is allowed.

5. It is directed that the notice of the petitioner be published in the newspapers, as prayed.

6. In addition to above, the notice be published in Maharashtra Times (Marathi) and Time of India, English newspaper.

7. The application is allowed in the aforesaid terms.

8. The petition is adjourned to 06/10/2022.

ANANT
KRISHNA
NAIK

Digitally signed
by ANANT
KRISHNA NAIK
Date: 2022.08.24
16:43:38 +0530

(NITIN W. SAMBRE, J.)