

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.68 OF 2016

WITH
INTERIM APPLICATION NO.2469 OF 2021
IN
SECOND APPEAL NO.68 OF 2016

WITH
INTERIM APPLICATION NO.2468 OF 2021
IN
SECOND APPEAL NO.68 OF 2016

WITH
CIVIL APPLICATION NO.103 OF 2016
IN
SECOND APPEAL NO.68 OF 2016

Dattatray Sadashiv Damle	...Appellant/Applicant
vs.	
Vinayak Ramkrishna Vaidya & Ors.	...Respondents

....

Mr. M.L. Patil, for the Applicant.

None for the Respondents.

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CORAM : S.M. MODAK, J.

DATE : 2 AUGUST 2022

P.C.:

INTERIM APPLICATION NO.2469 OF 2021

Heard. Perused the application. Service could not be effected for Respondent Nos. 2B, 5A, 5B and 6 and 15 in usual mode. The details are given in the application. No one is present for the Respondents. It is informed that intimation is given to learned Advocate representing the Respondents.

2. In view of this, application is allowed in terms of prayer clause (a) returnable on 27 September 2022.

INTERIM APPLICATION NO.2468 OF 2021

Heard.

2. Read the order dated 13 December 2018 passed by leaned Registrar (Judicial-II). Conditional order of dismissal was passed if steps to serve Respondent Nos. 13, 14 and 16 are not taken. It is submitted that with best efforts their new addresses could not be searched out. Now the Appellant is praying for substituted service. There is a delay of 1005 days.

3. Considering the averments in the application, application is

allowed in terms of prayer clauses (a), (b) and (c) returnable on 27 September 2022.

The second appeal along with the civil application is stood over to 27 September 2022.

(S.M. MODAK, J.)