

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.13469 OF 2023
IN
FIRST APPEAL NO.332 OF 2014

Shri Anil Lalji Gajra @
Bhanushali and ors .. Appellants/Applicants
V/s
Shri Fuhab Ayooob Latiwala and ors .. Respondents

Ms. Rina Kundu for the Appellants/Applicants.
None for the Respondent No.2.
Ms. Poonam Mital for the Respondent No.4.

CORAM: ABHAY AHUJA, J.

DATE : 21 July 2023

P.C. :-

INTERIM APPLICATION NO.13469 OF 2023

1. This is an application seeking issuance of notice to respondent no.1 by substituted service.
2. Ms. Kundu, learned counsel appearing for the applicants submits that as the notice attempted to be served earlier was received unserved with the remark 'HE NOT FOUND NOT RESIDING AT ABOVE ADDRESS' and as the appellant is not having any other address, he has preferred this Application for substituted service.

3. Ms. Poonam Mital, learned counsel appearing for respondent no.4 who is present in Court, does not have any objection if the application is allowed.
4. Having heard the learned counsel for the applicants and having perused the application and record, I am of the view that the Application deserves to be allowed.
5. Let service of notice upon respondent no.1 by way of substituted service be completed in accordance with prayer clause (a) to the application.
6. Let the publication be completed within a period of four weeks and an appropriate affidavit in that regard be filed in this Court.
7. Interim Application stands allowed.

FIRST APPEAL NO.332 OF 2014

1. It is observed from the remark column that respondent no.1 has to be served by substituted service, respondent no.2 is already served, the notice issued to respondent no.3 is awaited and Ms. Mital, learned counsel appears for respondent no.4.
2. Accordingly, list the First Appeal on **25 August 2023**.

(ABHAY AHUJA, J.)