

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO.1643 OF 2023
IN
COMMERCIAL SUMMARY SUIT NO.1231 OF 2019**

Carl Pinto De Andrade & Ors. ... Applicants

In the matter of

Carl Pinto De Andrade & Ors. ... Plaintiffs

V/s.

Ventura Securities Limited & Ors. ... Defendants

Ms. Prachi Singh i/by Yasmin Bhansali & Company for the Applicants/Plaintiffs.

Mr. Vishal Pattabiraman i/by M/s. Purohit & Company for Defendant No.1.

CORAM : ARIF S. DOCTOR, J.

DATE : 19TH APRIL 2023

P.C. :

1. By the present Interim Application, the Applicants seek service of a Writ of Summons on Defendant No.3 by way of substituted service as contemplated under Order V Rule 20 of the Code of Civil Procedure, 1908 by publication of the Writ of Summons in the following local two newspapers of Goa :-

- (i) Times of India, Goa Edition (English)
- (ii) Goan Varta (Marathi)

2. Learned Counsel has annexed a copy of the Affidavit of a Bailiff to the present Interim Application, which sets out why the service, though attempted, was incomplete.

3. I have perused the Interim Application, the Affidavit filed by the Bailiff and find that the Applicants have made out a sufficient case for being granted substituted service. Therefore, the Interim Application is allowed in terms of prayer clause (a), which reads as follows :-

“(a) That this Hon’ble Court be pleased to permit the Applicants/ Org. Plaintiffs to serve the Defendant No.3 viz Crefin India Management Private Limited by way of substituted service as contemplated under Order V Rule 20 of the Code of Civil Procedure, 1908 by publication of the Writ of Summons in local newspapers of Goa i.e., ‘Times of India, Goa Edition’ (English) and ‘Goan Varta’ (Marathi).”

4. The Interim Application is thus disposed of in terms of the above order.

(ARIF S. DOCTOR, J.)