

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 5104 OF 2022

IN

NOTICE (LODGING) NO. 22101 OF 2021

The Cosmos Co-operative Bank Ltd.

...Applicant/Claimant

Versus

Lexter Exim & Ors.

...Respondents

• Mr. Jayant Gaikwad and Ms. Pushpa Prajapati, for Applicant.

CORAM : MANISH PITALE, J.

DATE : 05th JULY, 2023.

P. C. :

1. By this application, the Applicant is seeking permission to serve Respondent Nos. 1 to 4 by way of substituted service. It is prayed that the Applicant be permitted to publish notice in English and Hindi Newspapers.

2. It is brought to the notice of this Court that despite attempts made to serve the Respondents, they could not be served, as it is reported that they had left the premises many years ago.

3. In the interest of justice, the application is allowed in terms of prayer clauses (b) and (c), which read as follows :

“b. This Hon’ble Court may be pleased to allow the substitute service of Notice under Order XXI Rule 22 of the Civil Procedure Code, 1908 upon the Respondent Nos. 1 to 4 by way of publication in

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newspapers “Business Standard” in English language and “Business Standard” in Hindi language.

- c. This Hon’ble Court may be please to extend eight weeks the returnable date of Notice under Order XXI Rule 22 of Civil Procedure Code, 1908 from the disposal of the present Interim Application and/or to such date.”*

4. The Applicant shall place on record proof of such publication of notice along with an affidavit.

5. Application stands disposed of.

(MANISH PITALE, J.)