

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

**INTERIM APPLICATION NO.1712 OF 2024
IN
FIRST APPEAL STAMP NO.448 OF 2022**

Chandrika Dheeresh Shetty ..Applicant/Appellant
Versus
Balachandra N. Shetty & Ors. ..Respondents

Ms. Shaista Pathan a/w Vasudha Gupta i/by Y & A Legal, for the
Applicant/Appellant.

Mr. Shubham Mishra i/by Dipen Furia, for the Respondent No.6.

CORAM : KISHORE C. SANT, J.

DATE : 16th FEBRUARY, 2024

PC.

1. This Application is filed seeking substituted service on Respondent Nos.1, 3 and 5. The notices were tried to be served on the Respondents, however, same could not be served with the remark "address insufficient". Learned advocate submits that in fact the addresses given of these Respondents are the same, as given by the Respondents themselves in execution proceedings. He thus submits that these Respondents are avoiding service of notice. She therefore prays for substituted service through paper publication.

2. Heard for sometime.

3. This Court finds that the addresses given in the cause-

title are the same, as given before the Executing Court, still the notices could not be served as address insufficient. Considering this, this Court finds that it is desirable to allow the Application by allowing the Applicant to serve Respondent Nos.1, 3 and 5 through paper publication.

4. The Application stands allowed.

5. Applicant is permitted to serve Respondent Nos.1, 3 and 5 through paper publication in widely circulated newspaper in the area of Mumbai at least two weeks prior to the returnable date. Notice is made returnable on 1st April, 2024.

[KISHORE C. SANT, J.]