

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION. NO. 6853 OF 2024
IN
FIRST APPEAL NO. 154 OF 2022

Office Notes, Office Memoranda of Coram,
appearance, Court's Orders or directions and
Registrar's orders

Court's or Judge's order

CORAM : SHRI S. R. AGRAWAL
REGISTRAR (JUDL -II)

DATE : 18/03/2024

None present

Perused.

As per office note, notice issued to Respondent Nos. 1 to 3 on 04/01/2023 is not returned till date. Notice issued to respondent no. 4 returned unserved with Bailiff's remark dated 28/02/2023, "Not found, after inquiry with present occupant, she informed that she does not know anything about respondent no. 4, hence pasted on the outer door".

The learned advocate for the applicant has filed affidavit of service dt. 23/12/2022 in First Appeal No. 154 of 2022 and stated that remark on unserved packet by courier, for unserved respondent nos. 1 to 3, "No such person" and for unserved respondent no. 4, "Party

shifted”. And RPAD letter issued to respondent nos. 1 to 3 returned unserved with remark, “no such person in the address” and of respondent no. 4, “insufficient address”.

The learned Advocate for Applicant is not aware about new address. Thus, only option left is to serve the Respondent Nos. 1 to 4 by way of substituted service.

The Learned Advocate has taken out present Interim Application to serve Respondent Nos. 1 to 4 by way of substituted service. Address of Respondent Nos. 1 to 4 mentioned in the above notices is same as mentioned in Interim Application and in memo of First Appeal as well as in Judgment of the Lower Court.

In turn, Interim Application No. 6853 of 2024 for substituted service is allowed in terms of prayer clause (a) and (b), returnable by 08 weeks (excluding Summer vacation).

The learned Advocate for the Applicant is directed to collect copy of Publication Notice within two weeks without fail. He is further directed to file published copy of newspaper in the department within 08 weeks.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-18.03.2024

