

PVR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1064 OF 2024

Manish Milind Shinde ... Petitioner

Versus

The Branch Manager, Union Bank of India & Ors. ... Respondents

Mr. Charles Desouza with Mr. Shreyansh Desai i/b. M/s. V. Deshpande & Co.,
for the Petitioner.

Mr. Pradip Upadhyay with Nandini Shukla, for Respondent No.1.

Ms. P. N. Diwan, AGP for the State-Respondent No.4.

CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 2nd FEBRUARY, 2024

P.C.

1. Issue notice to Respondent No.2 returnable on 8 February 2024. Let the notice be served on respondent No.2 through local police station as it is informed by the learned Counsel for the petitioner that respondent No.2 is likely to avoid service.

2. Learned Counsel for respondent No.1-Union of India submits that there would not have been any impediment to hand over the documents to the petitioner, however, as an objection is received from respondent No.2, the same are not being handed over to the petitioner. Thus, we need to hear respondent No.2 on the adjourned date of hearing.

3. We clarify that if despite notice and service, respondent No.2 is not represented on the adjourned date of hearing, the Court would presume that respondent No.2 is not ready and willing to contest the proceedings, and accordingly proceed to hear the petitioner and other respondents, and pass appropriate orders.

4. List the proceedings on **8 February 2024. High On Board.**

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)