

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16063 OF 2024
IN
CIVIL REVISION APPLICATION ST. NO.29899 OF 2023

Office Notes, Office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders	Court's or Judge's orders
CORAM : <u>S.R. AGRAWAL</u> <u>REGISTRAR (JUDL. - II)</u> DATE : 20th December, 2024 Advocate Siddharth Singh i/by Anand Mishra for Applicant Present. The learned Advocate for the Applicant has filed present Interim Application No.16063 of 2024 to serve Respondent Nos.3 to 5 by way of substitute service i.e. Paper Publication. As per office note, the notice issued to Respondent Nos.3 to 5 is returned unserved with Bailiff's remark dated 26/10/2023, "the said Respondent not found at the time of service after enquiry with neighbors no one knows anything about them, hence, unserved". The learned Advocate for Applicant is not aware of any other address of Respondent Nos.3 to 5. Thus, only option left is to serve the Respondent Nos.3 to 5 by way of paper publication and by affixing the notice.	

The addresses of Respondent Nos.3 to 5 mentioned in the notice is same as mentioned in the Interim Application and in the memo of Civil Revision Application as well as R.A.E. Suit No.805 of 2006 before the Trial Court.

In turn, Interim Application No.16063 of 2024 for substitute service of notice is allowed. The office is directed to issue notice to the Respondent Nos.3 to 5 and concerned bailiff be directed that in case Respondent Nos.3 to 5 do not found on the address, then notice be affixed on the outer door or some other conspicuous part of their premises, as provided under Order 5, Rule 17 and 19 of the Code of Civil Procedure.

Likewise, issue paper publication notice to the Respondent No.3 to 5. The learned Advocate for the Applicant is directed to collect the publication notice within 02 (two) weeks (excluding Christmas vacation) from the department and submit service affidavit with paper cutout within 08 (eight) weeks.

sd/-
Registrar (Judl. - II)