

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

INTERIM APPLICATION NO.2698 OF 2024

IN

SUIT NO.233 OF 2024

ACC Ltd. ... Applicant/Plaintiff

In the matter between

ACC Ltd. ... Plaintiff

V/s.

Prabhat Builders & Ors. ... Defendants

Mr. Anirudh Hariani, Counsel a/w Anagh Pradhan, Anand Iyer i/by Divya Shah Associates for the Plaintiff.

CORAM : ARIF S. DOCTOR, J.

DATE : 27TH SEPTEMBER 2024

P.C. :

1. This is an Interim Application for substituted service under the provisions of Order V Rule 20 of the Code of Civil Procedure, 1908 to enable the Plaintiff to effect service of the Writ of Summons upon the Defendants.

2. Mr. Hariani, Learned Counsel appearing on behalf of the Plaintiff has placed reliance upon an Additional Affidavit setting out the reasons why this Interim Application for substituted service is made.

3. I have perused the same and I am satisfied that a case for substituted service is made out. The Interim Application is thus disposed of in terms of prayer clause (a)(i), which reads thus:-

“(a) That this Hon’ble Court be pleased to pass necessary directions permitting the Applicant to effect substituted service of the Writ of Summons of the present Suit on the Defendants in the manner provided under Order V Rule 20 of the Civil Procedure Code, 1908, either:

(i) by publication of notice by way of advertisement in any two newspaper of vernacular language and one leading English daily newspaper, circulated in the locality in which the said Defendants were last known to have actually and voluntarily resided, carried on their business or personally worked for gain as per the provisions specified in Order V Rule 20 of the Civil Procedure Code, 1908;”

4. The Interim Application is thus accordingly disposed of.

5. List the Suit on 18th October 2024.

6. Additional Affidavit tendered by Learned Counsel for the Plaintiff is taken on record.

(ARIF S. DOCTOR, J.)