

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

INTERIM APPLICATION NO. 3553 OF 2024
IN
EXECUTION APPLICATION NO. 572 OF 2016

ANGEL BROKING PRIVATE LIMITED)...APPLICANT

V/s.

KAUSHAL KIRTI TURAKHIA)...RESPONDENT

WITH
CHAMBER SUMMONS NO. 919 OF 2019
AND
CHAMBER SUMMONS NO. 695 OF 2019
IN
EXECUTION APPLICATION NO. 572 OF 2016

Mr.Sunny Shah a/w. Ms.Akshara Vaidya i/by Mr.Ashish Suryavanshi,
Advocate for the Applicant.
None for the Respondent.

CORAM : ABHAY AHUJA, J.

DATE : 10th DECEMBER 2024

PC. :

1. This Application seeks publication of show cause notice upon the Respondent in as much as an attempt to serve him by a regular mode was unsuccessful.

2. Mr.Shah, learned Counsel for the Applicant, submits that the Respondent's father has stated that the Respondent was living in Malaysia and refused to give details of his address there.

3. Mr.Shah, learned Counsel, further submits that the Applicant does not believe that the Respondent is residing outside the country as the website of Ministry of Corporate Affairs suggests that the Respondent continues to be the director of two companies, one of which has its registered office at the address where the father of the Respondent resides.

4. Mr.Shah submits that, therefore, this Court permit publication of show cause notice as per prayer clause (a) which reads thus :

“(a) This Hon'ble Court be pleased to direct the Registry of this Hon'ble Court to issue Show Cause Notice upon the Respondent by way of substituted service by publication in the local newspapers i.e., Free Press Journal and Navbharat Times, or such other newspaper as this Hon'ble Court may direct.”

5. Having heard the learned Counsel and having considered the submissions and in view of what has been stated in the Application, this Court is of the view that the Application be allowed in terms of prayer clause (a).

6. Let the show cause notice be published in the two newspapers mentioned in the said prayer clause within a period of four weeks and an appropriate affidavit be filed.

7. The Application, accordingly, stands allowed and disposed as above.

8. List the execution proceedings on **23rd January 2025**.

(ABHAY AHUJA, J.)

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