

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 7944 OF 2024.

IN

FIRST APPEAL NO. 288 OF 2015.

Suraj Darshan Co-Op. Hsg. Soc. Ltd.

...Appellant.

Versus

Suraj Enterprises And Ors.

...Respondents.

Mr. Ramesh Soni and Adv. Sunitha Perumal i/by Sachin V. Masurkar for the Appellant.

Adv. Rajesh Kachare and Adv. Sonal Dabholkar i/by Adv. Ameet Anand Palkar for the Respondent No. 1.

Ms. Vidya Vyavhare for the Respondent-Corporation.

Coram : Sharmila U. Deshmukh, J.

Date : March 3, 2025.

P. C. :

1. Interim Application has been preferred seeking permission to serve the Respondent No. 4 by substituted service.
2. Learned Counsel appearing for the Applicant submits that despite due diligence the Respondent No. 4 could not be served as the envelope containing the notice had returned unserved. He would further submit that the service was sought to be effected upon the last known address of Respondent No. 4 and there is urgency as the Applicants building is in need of redevelopment.
3. The office record indicates that service was awaited upon the Respondent No. 4 for considerable period of time and thereafter

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was returned unserved which makes it evident that despite due efforts, Respondent No. 4 could not be served.

4. In light of the above, the Interim Application is allowed, service to be effected within a period of four weeks from today.

5. Stand over to **7th April, 2025.**

[Sharmila U. Deshmukh, J.]