

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13322 OF 2024
IN
FIRST APPEAL (STAMP) NO. 35315 OF 2012

Office Notes, Office Memoranda of Coram,
appearance, Court's Orders or directions and
Registrar's orders

Court's or Judge's order

CORAM : SHRI S. R. AGRAWAL
REGISTRAR (JUDL -II)

DATE : 25/06/2025

None present

The learned Advocate for the appellants has filed present Interim Application to serve Respondent Nos. 1, 2, 5 and 6 by way of substituted service i.e by publishing notice in daily newspapers.

As per office note, the notice of Respondent No. 1 is returned unserved with Bailiff's remark dated 13/03/2025, "Address of respondent No. 1 could not traced out, want of full and detail address".

The notice of Respondent No. 6 is returned unserved with Bailiff's remark dated 13/03/2025, "It is informed that said building was demolished many years ago".

The notice of Respondent No. 2 is returned unserved with Bailiff's remark dated

12/12/2024, “respondent No. 2 was not found at the given address”

The notice of Respondent No. 5 is returned unserved with Bailiff’s remark dated 26.11.2024, “respondent No. 5 was not found at the given address and after inquiry, it was informed that respondent No. 5 has left the premises since long back and his present address is not known”.

The learned Advocate for Applicant is not aware about new address. Thus, only option left is to serve the Respondent Nos. 1, 2, 5 and 6 by way of substituted service.

The address of Respondent Nos. 1, 2, 5 and 6 mentioned in the notice is same as mentioned in Interim Application and in memo of First Appeal as well as in Judgment of the Lower Court.

In turn, Interim Application No. 13322 of 2024 for substituted service is allowed in terms of prayer clause (a), returnable by 10 weeks.

The learned Advocate for the Applicant is directed to collect copy of Publication Notice from the department within two weeks without fail and thereafter, file published copies of notice of newspapers in the department within 08 weeks.

Sd/-
REGISTRAR (JUDL-II)

