

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

INTERIM APPLICATION NO. 2810 OF 2025
IN
FIRST APPEAL (STAMP) NO. 9334 OF 2023

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 : 25/02/2025

Adv Devika Purav present for applicant.

Perused

The learned Advocate for the applicant has filed present Interim Application to serve Respondent Nos. 1 to 11 by way of substituted service i.e by publishing notice in daily newspapers.

As per office note, the notices of Respondent Nos. 1 to 2 are returned unserved with Bailiff's remark dated 29/11/2024, "No responsible person of Respondent nos. 1 and 2 were found. On inquiry with inmate and neighbouring person, they informed that they were seldomly visit the said premises, hence pasted on outer door". The notices of Respondent Nos. 3 to 5 and 8 are returned unserved with Bailiff's remark dated 29/11/2024, "The said building is demolished and all the tenants are shifted elsewhere". The notices of Respondent Nos. 6 to 9 and 10 are returned unserved with Bailiff's remark

dated 07/11/2024 , “The said building is demolished and all the tenants are shifted elsewhere”. The notice of Respondent No. 11 is returned unserved with Bailiff’s remark dated 29/11/2024, “Staff of Assisant Commissioner Office stated that, Notice shoule be served at their head office legal department”. The learned Advocate for Applicant is not aware about new addresses. Thus, only option left is to serve the Respondent Nos. 1 to 11 by way of substituted service. The addresses of Respondent Nos. 1 to 11 mentioned in the notice is same as mentioned in Interim Application and in memo of First Appeal as well as in Judgment of the Trial Court.

In turn, Interim Application Nos. 2810 of 2025 for substituted service is allowed in terms of prayer clause (a), returnable by 08 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, to file published copies of notice of newspapers in the department within 08 weeks without fail.

Sd/-
REGISTRAR (JUDL-II)

sat-R(J-II)-25.02.2025