

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9611 OF 2025
IN
FIRST APPEAL (ST) NO. 35865 OF 2024

SNEHA
NITIN
CHAVAN

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Date: 2025.07.14
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M/s Suneeta Knitwears India Ltd. (deleted)
M/s Saraf Gartex Ltd Authorised Signatory Alok ...Applicant
Saraf Director
Versus
Shri. Jayesh Shah ...Respondent

Mr. Priyanshu Mishra for the Applicant.
None for Respondent.

CORAM : M.M. SATHAYE, J.
DATE : 11th JULY, 2025

P.C. :

1. Heard learned Counsel for the Applicant/Appellant.
2. This is an application for service upon sole Respondent through news-paper publication.
3. Perused the application. It is stated that the address of the Respondent shown in the proceedings is last known address and an attempt of service on the said address in the delay condonation application has failed. Notice has returned indicating that the Respondent was not found. Office note also indicates that the bailiff reported that it was informed that sole Respondent has not come to the office since last one year and his present whereabouts are not known.

4. It further appears from record that after notices were issued in January 2025, the sole Respondent has appeared before the concerned committee of High Court Registry for appearing in person and has been found fit to appear in person before the Court. Despite that, nobody appeared today.

5. Considering the averments and record as indicated above, the application is allowed. The Applicant is permitted to serve Respondent by newspaper publication in terms of prayer clause (a), which reads as under :

“(a) That this Hon’ble Court be pleased to allow the Applicant original Defendant to publish the notice in news-paper publication in two daily regional news-paper one in English Language Newspaper i.e. Active Times and one in local language Marathi i.e. Mumbai Lakshdeep as per Order V Rule 20 of the CPC.”

6. The interim application is disposed of in above terms.

(M.M. SATHAYE, J.)