



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1641 OF 2026
IN
FIRST APPEAL NO.917 OF 2018

Union of India

...Applicant/Appellant

Versus

Priya Sameer Maity

...Respondent

Mr. T. J. Pandian a/w Mr. Gautam Modanwal for Applicant/Appellant.

CORAM : JITENDRA JAIN, J.

DATE : 5 MARCH 2026

P.C.:

1. This application is taken out by Union of India for substituted service by paper publication and also for seeking condonation of delay of 188 days in filing the present application.
2. For the reasons stated in paragraphs 4 to 6, the delay in filing the present application is condoned.
3. The appeal was dismissed on 6 May 2025, since the steps were not taken to serve the respondent. I have perused the application and for the reasons stated therein, First Appeal No.917 of 2018 is restored.
4. The prayer for substituted service is deferred by giving liberty to the appellant to file a fresh application, if after the appeal papers are served on the advocate appearing in the Executing Court and informing the respondent and still there is no appearance on behalf of the respondent.

5. The advocate for the original applicant appearing in the Executing Court is directed to accept the service of the appeal papers for the limited purpose to inform the applicant to accept the service. It is made clear that if after the service on the advocate of the present appeal, the respondent chooses not to appear in this appeal then the appeal will be heard on merits.

6. Interim Application is disposed of.

[JITENDRA JAIN, J.]