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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9559 OF 2024

Rahul Mody

...Petitioner

Versus

Krishna Mody & Anr.

...Respondents

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Ms Vishranti Jain a/w Ms Vaishnavi Pasalkar, for the Petitioner.  
None for the Respondent.

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**CORAM: MANJUSHA DESHPANDE, J.**

**DATE : 07<sup>th</sup> NOVEMBER 2025**

**P.C:**

1. Though the Respondent has caused appearance in person on 15<sup>th</sup> July 2024 and sought time to engage an advocate, she has neither engaged an advocate nor remained present before this Court thereafter, and in spite of attempts made by the Petitioner to serve the Respondent, she has avoided the service.
2. After issuance of notice, the office remark shows that the notice issued to Respondent No. 1 returned unserved with bailiff remark, which reads as under:

*“Not found at the time of service but her parent available there. Upon telephonic contacted to said respondent by her parent, she has instructed them that not to receive said notice. Hence, they neither accepted nor allowed to paste the said notice”.*

3. This remark of the bailiff report shows that the Respondent is avoiding to accept the Court notice. The Respondent is not co-operating to proceed with the matter.
4. The Petitioner shall serve the Respondent by a permissible private mode of service and file affidavit of service to that effect. If the Respondent refuses to accept and acknowledge the notice, it shall be considered as due service of notice on the Respondent.
5. The Petitioner is also at liberty to serve notice to the Respondent by speed post and submit the acknowledgment of the same in this Court.
6. List the matter on 14<sup>th</sup> November 2025.

[MANJUSHA DESHPANDE, J.]