

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL MISCELLANEOUS PETITION NO.....IN
Petition(s) for Special Leave to Appeal (Crl) No(s).7935/2009

(From the judgment and order dated 22/08/2008 in CRLA No. 504/2008 of The
HIGH COURT OF JUDICATURE AT BOMBAY BENCH AT NAGPUR)

SANTOSH Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS. Respondent(s)

(With application for substituted service and office report)

Date: 06/08/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
[IN CHAMBERS]

For Petitioner(s)
Ms. Anagha S.Desai, Adv.

For Respondent(s)
For State Ms. Asha Gopalan Nair, Adv.

UPON hearing counsel the Court made the following
O R D E R

It is apparent from the record that all modes of service on the unserved respondents who have been acquitted, have failed and their acquittal is under challenge at the instance of the petitioner, but the service is being avoided by the respondents.

The petitioner had also served the notice by way of dasti summons which the respondents(since acquitted) refused to accept and hence the counsel had been rightly insisting that the service on the respondents is sufficient. However, to cut short the controversy, the counsel has now filed an application for service of notice through substituted service by way of paper publication.

Since the unserved respondents have been avoiding service, the application for substituted service is allowed. The counsel is directed to take steps for substituted service by way of paper publication and file proof thereof within a period of six weeks.

Application stands allowed accordingly.

[KALYANI GUPTA]		[S.S.R. KRISHNA]
COURT MASTER		COURT MASTER