

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/PETN. UNDER ARBITRATION ACT NO. 102 of 2023
With
CIVIL APPLICATION (FOR SUBSTITUTE SERVICE) NO. 1 of 2024
In R/PETN. UNDER ARBITRATION ACT NO. 102 of 2023

=====

M/S. CERA SANITARY WARE LIMITED

Versus

M/S. NANDANAM TILES AND SANITARIES PVT. LTD.

=====

Appearance:

MR DAKSHESH MEHTA(2430) for the Petitioner(s) No. 1

MR. RUSHANG D MEHTA(6989) for the Petitioner(s) No. 1

NOTICE UNSERVED for the Respondent(s) No. 1

=====

CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL

Date : 07/03/2025

ORAL ORDER

Order in Civil Application No. 1 of 2024

From a perusal of the service report submitted by the office, it may be noted that the initial notice issued to the respondent on 14.07.2023 has remained unserved with the postal remarks “premises found closed”.

With the prayer made by the learned counsel for the petitioner, permission was granted to effect the service through the direct mode. The affidavit of service filed by the petitioner indicates that they have not been able to serve the notice directly as the door was found locked.

The present application seeking for substituted service by way

of publication is hereby allowed.

The publication be made in two local newspapers having wide circulation in the locality concerned, one in English language and other is in vernacular language, stating therein clearly that the arbitration petition shall be listed before the Court on 2nd of May, 2025 and if the respondent remains absent on that date, the Court shall pass the orders on merits in accordance with law.

The Civil Application stands disposed of, accordingly.

C.M. JOSHI

(SUNITA AGARWAL, CJ)