

KABG040000122025



IN THE COURT OF IV ADDL. CIVIL JUDGE AND JMFC, BELAGAVI.

PRESENT: Bhuvaneshwari D. BA, LLB (Hon's), LLM.
IV Addl. Civil Judge & JMFC.,
Belagavi.

Dated, on this 25th day of June, 2026

Miscellaneous Application No.7/2025

PETITIONERS:	1. Smt. Gangawwa W/o Late Kallappa Pattar, Age : 64 years, Occ : Agriculture & Household work,R/o : Mutnal, Tal: Dist: Belagavi. And others
---------------------	---

-V/s-

RESPONDENTS :	1. Smt. Parwati W/o Bhimri Pattar, Age : 61 years, Occ : Household, R/o : Hangargi, Tal:Dist: Dharwad-580105 And others
----------------------	---

ORDER ON I.A.No.IV

APPLICANT/ PETITIONERS	Smt. Gangawwa W/o Late Kallappa Pattar and others
(By Sri. V. B. Sultanpuri, Advocate)	
-AND-	

OPPONENT/ RESPONDENTS	Smt. Parwati W/o Bhimrai Pattar and others
(By Shri R. D. Galli, Advocate)	

**ORDERS ON I.A. NO.IV UNDER ORDER V RULE 20 R/W SECTION
151 OF CPC**

This I.A is filed under order V Rule 20 R/W Section 151 of CPC seeking permission to obtain order for substituted service of summons in respect of Respondent No. 1 and 3 in daily edition of “Kannadamma” News Paper.

2. In the accompanying affidavit, it is contended that the steps has been taken on many occasions in respect of Respondent No.1 and 3, and it is submitted that the notice to the Respondent No. 1 and 3 cannot be served through ordinary way of service. Hence, this I.A. is filed seeking steps through substituted service. Hence, this I.A.

3. After providing sufficient opportunity the respondent not filed objections hence, objection is taken as not filed on 16.04.2026.

4. Heard Sri. VBS counsel for petitioners.

5. The following points that arise for the consideration of the Court;

POINTS

1. Whether the petitioners have made out the sufficient grounds to allow the I.A.?
2. What order?

6. This Court answers the aforementioned points as under;

Point No.1 : In the Affirmative.

**Point No.2 : As per the final order
for the following;**

REASONS

7. POINT No.1:- Order V Rule 20 (1-A) of CPC read as follows:

20. Substituted service. (1) Where the Court is satisfied that there is reason to believe that the defendant is keeping out of the way for the purpose of avoiding service, or that for any other reason the summons cannot be served in the ordinary way, the Court shall order the summons to be served by affixing a copy thereof in some conspicuous place in

the Court-house, and also upon some conspicuous part of the house (if any) in which the defendant is known to have last resided or carried on business or personally worked for gain, or in such other manner as the Court thinks fit.

(1A) Where the Court acting under sub-rule (1) orders service by an advertisement in a newspaper, the newspaper shall be a daily newspaper circulating in the locality in which the defendant is last known to have actually and voluntarily resided, carried on business or personally worked for gain.

(2) Effect of substituted service- Service substituted by order of the Court shall be as effectual as if it had been made on the defendant personally.

(3) Where service substituted, time for appearance to be fixed- Where service is substituted by order of the Court, the Court shall fix such time for the appearance of the defendant as the case may require.

8. It is to be noted that the petition is instituted in the year 2025 and in order to expedite the trial and to prevent the ends of justice being defeated by delay and considering the attempts made by the petitioners to serve summons to respondent No.1 and

3 several times, this I.A. deserves to be allowed. **Hence point No.1 is answered in the Affirmative.**

9. Point No.2: In view of above findings arrived at Point No.1, this Court proceeds to pass the following;

ORDER

I.A No.IV filed by the petitioners under order V Rule 20 R/w. Sec. 151 of CPC is hereby allowed.

Petitioners are permitted to take paper publication subject to approval of draft citation.

(Dictated to the Stenographer Grade-III directly on computer, typed by her and corrected by me and pronounced in the open Court, on this 25th day of April, 2026).

Sd/-

**(Bhuvaneshwari D.)
IV Addl. Civil Judge & JMFC,
Belagavi.**