

**ORDER ON APPLICATION U/O 5 RULE 20 OF CPC FILED
BY THE PETITIONER**

The advocate for petitioner filed IA u/O V Rule 20 seeking to take paper publication against Respondent No.7 and LR's of Respondent No.5 in "Udayavani" News Paper. As summons in ordinary course is not getting served against them.

2. Heard the counsel and perused the materials on record.

3. Following points arise for consideration of this court:

1. Whether the petitioner has made out grounds to allow the IA u/O V Rule 20 of C.P.C.?

2. What Order?

4. The finding of this court to the above framed points are as follows:

1. Point No.1: In the Affirmative

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

REASONS

5. **Point No.1:** It is well established rule that the substituted service cannot be issued in the cavalier manner and only should be opted as a last resort. Here the court has to see whether the summons in the ordinary course could not be served on Respondent No.7 and LR's of Respondent No.5 as they were intentionally avoiding the service of the summons.

6. After perusal of the material available on record it appears that the steps taken by the petitioner to send the summons to the

Respondent No.7 and LR's of Respondent No.5 is not leading any fruits. As the summons on the Respondent No.7 and LR's of Respondent No.5 is not getting served. Accordingly this court proceed to answer **point No.1 in the Affirmative.**

7. Point No.2: As per the reasons mentioned above this court proceeds to pass the following:

ORDER

IA filed by the petitioner under Order 5 Rule 20 of CPC is allowed as prayed for.

Thereby issue notice to Respondent No.7 and LR's of Respondent No.5 by way of paper publication.

Petitioner is directed to publish the daily state vide news paper on or before 20.06.2024.

Call on for appearance of Respondent No.7 and LR's of Respondent No.5 by 22.07.2024.

Further office is directed to issue paper draft after verifying. call on 22.07.2024.

Sd-
**II Addl., Civil Judge & JMFC.,
Doddaballapura.**