

The case is advanced and called out at the instance of the application filed by the plaintiff.

The plaintiff filed IA No.XV U/Sec.151 of CPC for extension of TI order. Perused, on last date of hearing the court has not extended the TI order. The reasons mentioned in the affidavit is believable one and if TI order is not extended, certainly the plaintiff would be put to great hardship and it would lead multiplicity of proceedings between the parties. Hence, TI order is extended till next date of hearing.

The Plaintiff has filed the IA No.XIV U/O.5 Rule 20 of CPC to take steps against the Defendant No.1 to 3 by way of paper publication.

I have heard the arguments and perused the records. The records depicts that since inception of suit, the Plaintiff has taking steps against Defendant No.1 to 3 by Court process. But, the suit summons returned as the addressee not found in the given address at the time of serving of suit summons. Therefore, prima-facie it appears that the Defendant No.1 to 3 have deliberately avoiding court process. As such in the ends of justice the Plaintiff is permitted to

take substitute service against Defendant No.1 to 3. Hence, the following;

ORDER

The IA No.XIV filed by the Plaintiffs U/O.5 Rule 20 of CPC is allowed. Thereby, Plaintiffs are permitted to take substitute service against Defendant No.1 to 3 by way of paper publication i.e., in widely circulated Kannada daily news paper by name **Samyukta Karnataka**.

The CMO is directed to issue approved draft citation by : 20.03.2024.

I Addl. Senior Civil Judge & JMFC,
Hubballi.