

**ORDERS ON I.A. No.IV FILED UNDER
ORDER V RULE 20 OF C.P.C.**

This is an application filed by the applicant under Order V Rule 20 of C.P.C. seeking substituted service against defendant No.1 i.e. through paper publication.

In the affidavit annexed to the application, the applicant has stated that, the Defendant No.1 is residing in the address shown in the cause title. The summons issued to Defendant No.1 returned unserved. He is intentionally evading service of summon only to protract the proceedings and also to harass Plaintiff. Therefore, it is necessary that, summons has to be issued to Defendant No.1 through substituted service i.e. through paper publication. The applicant would be put to hardship if this application is not allowed. On these grounds, the applicant prays to allow the application and to issue summons to defendant No.1 through substituted service.

Heard the learned counsel for the plaintiff and perused the records.

The plaintiff has filed this suit against the defendants seeking the relief of declaration and permanent injunction. The summons issued to defendant No.1 through Court as well as through RPAD returned unserved. Hence, this Court is satisfied that, the defendant No.1 is keeping out of the way for the purpose of evading service of summons. Therefore, it appears that, the applicant has exhausted all other remedies available to issue summons to defendant No.1. Hence, it is necessary that, this application is to be allowed and the applicant has to be permitted to serve summons to defendant No.1 through substituted service so as to meet the ends of justice and equity. Accordingly, the Application I.A.No.IV filed by the applicant under Order V Rule 20 of C.P.C. is hereby allowed.

Applicant is permitted to serve summons to defendant No.1 through paper publication.

Issue summons to defendant No.1 through paper publication having wide jurisdiction by 01.04.2025

Civil Judge & JMFC.,
Holenarasipura.