

ORDERS ON I.A No.II

The petitioner has filed this application U/o 5 Rule 20(1-A) of C.P.C., seeking to issue notice to respondent No.2 through substitutory service by way of paper publication in Udayavani News Paper.

The petitioner No.4 in the affidavit annexed to the application stated that respondent No.2 is the necessary party to the present petition. In spite of notice through the court as well as notices through the R.P.A.D., same were not served on the respondent No.2. And respondent No.2 intentionally avoding notice. Accordingly, by claiming that to avoid undue delay in dispensation of justice, the applicant/petitioner No.4 prays to allow the application.

On perusal of the record including order sheet it disclose that initially notice was issued to respondent No.2 is remained not returned. Thereafter, notice was issued through R.P.A.D., that also not returned. Despite reasonable attempts or efforts made by the petitioners to serve the notice to respondent No.2 through notice as well as notice through R.P.A.D., same cannot be served on respondent No.2. In spite of best efforts made by the petitioners to serve the notice, same can not be conveniently served to the said respondent No.2 in usual reasonable manner on in ordinary way. Hence, the applicant has made out grounds to allow

the application. Accordingly, the following;

ORDER

The I.A. No.II filed U/o 5 Rule 20(1-A) of C.P.C., by the petitioners is hereby allowed.

Consequently, issue paper publication against respondent No.2 if draft paper publication is furnished.

Call on by – 28-07-2023.

Addl. Civil Judge & JMFC.,
Hirekerur.