

8.1.2025.

Order on IA U/O 5 Rule 20(1) of CPC

The appellants have filed this application U/O 5 Rule 20(1) of CPC and sought to issue appeal notice to R.1(d) and R.2(a) and (b) by way of substitute service i.e., News paper publication.

2. The appellant No.1(a) by name Sharanamma has sworn to an affidavit filed in support of IA and stated that the above respondents are intentionally avoiding service of appeal notice. Hence prays to allow the IA.

3. Perused the records. Heard arguments.

4. On perusal of the order sheet it is found that the above respondents are evading the service of appeal notice. Therefore it is just and necessary to allow the IA. Hence the following:

ORDER

The application filed by the appellants U/O 5 Rule 20 (1) of CPC is hereby allowed.

Office to issue appeal notice through substitute service i.e., to issue paper draft to publish appeal notice to Respondent No.1(d) and Respondent No.2(a) and (b).

The C.M.O. shall verify and approve the draft and handover the same to the counsel for the appellants.

The appellants shall publish the draft Citation in the Kannada Daily News Paper Samyukta Karnataka Kalaburagi Edition News Paper on or before 20.1.2025.

For await report 21.2.2025.

Senior Civil Judge & JMFC, Sedam.