

17.11.2023

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

The plaintiffs have filed this application U/O 5 Rule 20(1) of CPC and sought to issue suit summons to No.Deft.2(H to L) and Deft.3(c) by way of substitute service i.e., News paper publication.

2. The plaintiff No.1 has sworn to an affidavit in support of IA and stated that the above defendants are avoiding service of suit summons. 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 defendants are evading the service of IA notice. Therefore it is just and necessary to allow the IA. Hence the following:

ORDER

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

Office to issue suit summons through substitute service i.e., to issue paper draft to publish suit summons to defendant No.2(H to L) and Deft.(c).

The plaintiffs shall submit draft citation before the CMO.

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

The plaintiffs shall publish the draft Citation in the Kannada Daily News Paper Samyukta Karnataka on or before 30.11.2023.

For await report 3.1.2024.

Senior Civil Judge & JMFC, Sedam.