

**ORDERS**

The counsel for applicant/DHr has filed I.A.No.II under Order 5, Rule 20 of C.P.C praying to permit him to publish the notice to the JDr No.1 to 4 and 6 through affixture.

2. The application is accompanied by the affidavit, sworn by the DHr. In his affidavit he has stated that, he has filed the petition against the JDrs for the relief of Specific Performance of Contract on the basis of decree passed by this court in O.S.No.18/2019. In spite of that, the JDr No.1 to 4 and 6 are intentionally avoiding to take the court notice. The court notice were issued by this court both ordinary process and also by RPAD. Since the JDr No.1 to 4 and 6 are avoiding to take the court notice. If this application is not allowed the DHr will be put lot of hardship and injury which can not be compensated. Hence, prays to allow the I.A.No.II.

3. I have heard learned counsel for the applicant/DHr and gone through the materials on record.

4. Order V, Rule 20(1), of the Code of Civil Procedure, provides that: "when the Court is satisfied that the respondent is keeping out of the way for the purpose of avoiding service, or that, for any other sufficient reason the summons cannot be served in the ordinary way, service may be effected by affixing a copy of the summons in some conspicuous place in the Court house, and also in some conspicuous place of the house, if any, in which the respondent is known to have last

resided, or carried on business, or personally worked for gain, or in such other manner as the Court thinks fit”.

5. The instant petition is filed for enforcement of decree of specific performance. Therefore, it is necessary to order for substituted service of notice by way of affixture. Therefore, the contents of the affidavit filed along with I.A.No.II are sufficient to accept the I.A.No.II. Thus, I am of the opinion that, the applicant/DHr has made out sufficient grounds to allow the I.A.No.II.

6. For the reasons stated above, I proceed to pass the following:-

**:: ORDER ::**

I.A.No.II filed under Order V, Rule 20 of C.P.C. seeking substituted service of notice by way of affixture is hereby **allowed**.

The applicant/Dhr is hereby permitted to take substituted service of notice by way of affixture against Jdr No.1 to 4 and 6..

For Appearance of JDr No.1 to 4 and 6.

Call on: 21.04.2025.

**Addl. Civil Judge & J.M.F.C.,  
T.Narasipura.\*\***