

**ORDERS**

The counsel for Decree Holder has filed I.A.No.I under Order 5, Rule 20(1)(A) R/w Section 151 of C.P.C praying to permit him to publish the notice to the JDr No.1 & 2 in Kannada local daily newspaper "Prajavani".

2. The application is accompanied by the affidavit, sworn by the Decree Holder. In his affidavit he has stated that, the JDr No.1 & 2 are intentionally avoiding the service of notice on them to drag on the proceedings. If this application is not allowed we will be put lot of hardship and injury which can not be compensated. Hence, prays to allow the I.A.No.I.

3. I have heard learned counsel for the Decree Holder and gone through the materials on record.

4. Rule 20 of the Order V of C.P.C. specifies the substituted service to the regular service of summons. It is further stated that, the service of summons can be done by an advertisement in a newspaper. However, the newspaper shall be daily newspaper circulating in the locality in which the Jdr No.1 & 2 are last known to have actually and voluntarily resided, carried on business or personally worked for gain.

5. The instant suit is filed for the relief of deliver of vacant possession of schedule property. Therefore, it is necessary to order for substituted service of Notice by way of paper publication to the JDr No.1 & 2 and general public. Therefore, the contents of the affidavit filed along with I.A.No.I are sufficient to accept the I.A.No.I. Thus, I am of the opinion that, the Decree Holder has made out sufficient grounds to allow the I.A.No.I.

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

:: **ORDER** ::

I.A.No.I filed under Order V, Rule 20(1)(A) R/w Section 151 of C.P.C. seeking substituted service in paper publication is hereby **allowed**.

The Decree Holder is hereby permitted to take substituted service by way of paper publication in a daily newspaper having wider circulation in the locality in which the JDr No.1 & 2 is last known to have actually and voluntarily resided, carried on business or personally worked for gain.

The Decree Holder is hereby directed to furnish draft paper publication in the office.

Office to verify and issue paper publication against the J.Dr No.1 & 2 in "**Prajavani**" news paper.

Call on:

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