

MHJN020012612024 	R.C.S.No.280/2024 Geeta Atole & Ors -VS- Gokulabai & Ors
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ORDER BELOW EXH.13
(Passed on 08.10.2024)

. Present application is filed by the plaintiff for affix a copy of the summons on the outdoor of the defendants house.

2. Heard learned advocate for the plaintiff. It is submitted that, summons of the suit to defendants no.1 & 2 could not be served as the door of their house is closed. Therefore, the plaintiff has prayed for affix a copy of the summons on the outdoor of the defendants house.

3. Perused the application and bailiff report, clearly shows that, the suit summons could not be served defendants no.1 and 2 as the door of the defendants no.1 & 2 is closed. As per Order V Rule 17 of CPC state that, where the defendant absent from his residence at the time when service is sought to be effected on him at his residence and there is no likelihood of his being found at the residence within a reasonable time and there is no agent empowered to accept service of the summons on his behalf nor any other person on whom service can be made, the serving officer shall affix a copy of the summons on the outer door or some other conspicuous part of the house in which defendant ordinarily resides.

4. In the present case as above discussed, the suit summons is not served as a defendants no.1 & 2 were not present at the time of service of summons. Hence, it is a just and proper to affix a copy of suit summons on the outer door of the house of defendant no.1 & 2. Hence, I pass following order :

ORDER

1	The application vide Exh.13 is allowed.
2	By way of this order directed to the concerned bailiff to affix a copy of the suit summons on the outer door or some other conspicuos part of the house of defendants no.1 & 2 and accordingly submit the report.

Dated :08.10.2024

(R.M.Devarshi)
5th Jt.Civil Judge(Jr.Divn.)
Jalna