

**SPECIAL CIVIL SUIT No. 57/2024****Sudhakar Mahale and ors.,****Vs.****Suresh Chordiya and ors.,**

CNR No. MHNS290004642024

**ORDER BELOW APPLICATION (EXH. 72)**

01. Heard learned counsel for the plaintiffs. Perused the application filed under Order V Rule 20 of the Code of Civil Procedure, 1908, along with the affidavit and documents on record.

02. It is seen from the record that summons were duly issued to the defendant nos. 5 at the correct and last known address. The process server's report indicates that he was residing out of country, despite due and reasonable efforts, service of summons could not be effected in the ordinary manner.

03. The Court is satisfied that the defendant no. 5 is keeping out of the way for the purpose of avoiding service, or that for any other reason the summons cannot be served in the ordinary manner.

04. The plaintiffs has complied with all the statutory requirements and has made out a case for substituted service. Therefore, in exercise of powers under Order V Rule 20 of the Code of Civil Procedure, 1908, the application is allowed. Hence, I pass the following order.

**ORDER**

- a) Summons to the defendant no. 5 shall be served by way of substituted service by:
  - Publication of summons in a widely circulated local newspaper having circulation in the locality where the

defendant no. 5 last resided / carried on business at  
Bhandara Road, Ghoti, Tal. Igatpuri, Dist.Nashik.

- By affixing a copy of the summons on the conspicuous part of the Court notice board and on the last known address of the defendant no.5.
- b) The plaintiffs shall take steps for publication and file proof of publication on or before /01/2026.
- c) Such substituted service shall be treated as valid service under Order V Rule 20 of the Code of Civil Procedure, 1908.

Date :- 31.01.2026

(Yashshree Marulkar)  
Civil Judge Sr. Division,  
Igatpuri.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order.

Name of Stenographer : N. S. Sabale,

Court : Civil Judge, Sr. Division, Igatpuri,

Date of Judgment/ order : 31.01.2026

Order Signed by the  
Presiding Officer On : 31.01.2026

Order Uploaded on :02.02.2026