



R.C.S. No. 50/22
Anant Shigam V/s. Laxmi Shigam

Order below Exh.28

1. Present application is filed by the plaintiff for service to defendant no. 5 on behalf of defendant no. 3 and 4 as per Order 05 Rule 15 of C.P.C.
2. Heard Advocate for the plaintiff and defendant no. 1, 2, and 5. Perused say and the reply.
3. The advocate for the plaintiff submitted that summons could be served on defendant no. 5 as they all are living in the same house i.e. at the address of defendant no. 5 mentioned in the plaint. Hence the plaintiff prayed that a suit summons be served to defendant no. 5 on behalf of defendant no. 3 and 4 as per Order 05 Rule 15 of C.P.C.
4. Perused the application, bailiff report at **Exh. 24**. Bailiff report clearly shows defendant no. 3 and 4 have shifted to Mumbai for their job hence defendant no. 05 has rejected service on behalf of defendant no. 03 and 04. It does not mean that summons could not be served to defendant no. 03 and 04. Further on perusal of the record, it doesn't appear that the plaintiff has taken all efforts to get the address of defendant no. 03 and 04 of Mumbai. Further, as per Order 05 Rule 15 of the C.P.C., the plaintiff has not shown that defendant no. 03 and 04 personally can't be served. Hence, according to me, it is not a fit case where the summons should be served as per Order 05 Rule 15 of the C.P.C. Hence, I pass the following order: -

-: O R D E R:-

The application is rejected with cost.

Place: Lanja.
Date: 02/12/2022

(P. R. Bhosale)
CJJD, Lanja.

-: C E R T I F I C A T E :-

I affirm that the contents of this pdf file Order are same words as per original Order,

Case No : RCS No 50 of 2022

Name of the Stenographer: I/c P.R.Jadhav, Jr.Clerk

*Court Name: Civil & Criminal Court, Lanja,
Dist.Ratnagiri,*

Date of decision : 02/12/2022.

Order/Judgment signed by P.O.on: | 02/12/2022.

Order/Judgment uploaded on : 02/12/2022.