



CNR No. MHSI070001972019
Order passed below Exh. No.144
in R.C.S. No. 33/2019

The present application has been filed by the plaintiff seeking permission to serve defendant No. 10 by way of substituted service through newspaper publication. The plaintiff has requested that the summons of defendant No. 10 be published in the newspapers Ratnagiri Times, Sindhudurg edition. It is the contention of the plaintiff that summons were earlier issued to defendant No. 10. However, the bailiff's report shows that defendant No. 10 is not residing at the address mentioned in the plaint and the house was found locked. Upon inquiry, it was learned that defendant No. 10 is presently residing at Mumbai. It is further submitted that the plaintiff has made sincere efforts to ascertain the correct address of defendant No. 10, but the same could not be obtained even after making inquiries with relatives. Therefore, the plaintiff has prayed for permission to serve defendant No. 10 through newspaper publication.

2. I have heard the learned Advocate for the plaintiff and perused the record. The bailiff's report shows that the summon (Exh. 23) issued to defendant No. 10 was returned with the remark that he is not residing at the given address and the house was found locked. It further appears that defendant No. 10 is residing at Mumbai. From the affidavit filed in support of the application, it appears that the plaintiff has made sincere efforts to find out the present address of defendant No. 10, but the same could not be traced. In these circumstances, it appears that the summons cannot be served upon defendant No. 10 in

the ordinary manner. Therefore, it is necessary to effect substituted service.

3. Since it is reported that defendant No. 10 is residing at Mumbai, the summons should also be published in a newspaper which is widely circulated in the Mumbai region. Therefore, the application deserves to be allowed. However, in addition to newspaper publication, it would be proper to affix a copy of the summons on a conspicuous part of the last known address of defendant No. 10 mentioned in the plaint and also on the notice board of the Court. Hence following order.

<u>ORDER</u>	
1.	The application below Exh. 144 is allowed.
2.	The summons of defendant No. 10 shall be published in the newspaper Ratnagiri Times, Sindhudurg edition.
3.	The summons shall also be published in one widely circulated daily newspaper in the Mumbai region.
4.	A copy of the summons shall be affixed on a conspicuous part of the last known address of defendant No. 10 mentioned in the plaint.
5.	A copy of the summons shall also be affixed on the notice board of the Court.
6.	No order as to costs.
	(Pronounced and dictated in open Court.)

Place : Malvan
Date : 11/03/2026

M.K.Fakih
Civil Judge (J.D.) Malvan.