

Order Below Exh. 15
(Passed On 29th June, 2019)

This is an application under Order 5 Rule 20 of CPC. As per plaintiff's contention, defendant no.4 is missing since 07/09/2010. Therefore, his whereabouts is not traceable. Accordingly sought for the publication in local news paper where he lastly resides. Record discloses that, initially summons was issued to defendant no.4. Bailiff report below Exh.07 discloses that, no one has given any details about the defendant no.4. Therefore, proper service has not made on him. Accordingly returned unserved. Vide list below Exh.18 plaintiff has filed report lodged to police station which discloses that, missing complaint was lodged vide Sr.No.53/10 at Police Station, Solapur city. In such situation, it is quiet difficult to serve suit summons personally on the defendant. Order 5 Rule 20 specifies that, if defendant intentionally avoid service of summons then it can be issued on his last known address. In the light of process service report and missing report lodged to police station it is just and proper to issue paper proclamation under Order 5 Rule 20 of CPC in local news paper Sakal as sought which is circulated within the limits where defendant no.4 is lastly resides. Hence, the following order.

ORDER

- 1) The application is allowed.
- 2) Issue summons to defendant no.4 by way of paper proclamation in **Daily Sakal** on payment of necessary publication charges as per rule.

- 3) Plaintiff is at liberty to sought publication by hand and directed to deposit the amount with the publishers and further directed to file paper proclamation in the court after its publication.

Date : 29/06/2019

Sd/-
(Prasanna R. Kulkarni)
Jt. Civil Judge Junior Division
Mohol, Dist. Solapur.

CERTIFICATE

I affirm that the contents of this PDF file Order/Judgment are same word to word as per the original Order/Judgment.

Name of Stenographer	:	Shaikh N. M.
Court	:	Jt.CJJD & JMFC, Mohol.
Date	:	29-06-2019
Judgment/order signed by the Presiding Officer on	:	29-06-2019
Judgment/Order uploaded on	:	01-07-2019
