

ORDER BELOW EXH.13 IN R.C.S.NO.670/2022

This is an application filed by plaintiff seeking substituted service of summons on defendant under Order V Rule 17 of the Code of Civil Procedure, 1908.

2. The application is supported by an affidavit. It is stated by the plaintiff that summons to the defendant was issued but remained unserved. He further contended that, defendant is intentionally avoiding service of summons. Hence, prayed to serve the summons as per Order V Rule 17 of the Code of Civil Procedure.

3. Heard learned advocate for the plaintiff.

4. Perused the record. In bailiff report (**Exh. 9 and 12**) it is mentioned that Aananda Suresh Kumbhar is not residing at the given address, hence summons remain unserved.

5. The suit is filed in the year 2022. It is still on the stage of appearance of defendant. Suit summons was issued to defendant vide (**Exh. 9 and 12**). But, still the purpose has not been served. Moreover, when the summons was sent to defendant on the mentioned address, in report (**Exh.9 and 12**) it is mentioned that the house was locked and defendant is not residing on given address.

6. All these facts lead to an inference that, the address mentioned in plaint is defendant's last known address. Hence, it is necessary to affix copy of summons on conspicuous part of the house of the defendant.

Therefore, the application deserves to be allowed and I pass the following order:-

ORDER

1. The application is allowed.

2. Affix copy of summons on conspicuous part of house of defendant located at Kharadwadi (Nanegaon), Post Chafal, Tal. Patan, Dist. Satara.

Place: Karad
Date: 27.10.2023

(P. G. Shelar)
6th Jt.C.J.J.D., Karad