

**O.S. (Will)P No. 12 of 2019
(CNR No.WBBD01-004300-2019
(J.O. No.WB00702)**

Order No.22 Dated: 06/07/2024

This day is fixed for hearing in respect of a petition dt. 03/07/2024 filed by the petitioner namely, Sima Garai under Order 5 Rule 20(A) read with Section 151 of C.P.C praying for making substituted service upon the defendants namely Joydeep Garai and Smt. Manimanjari Garai on the ground stated therein.

Heard Ld. Advocate for the petitioner. Perused the petition. Ld. Advocate for the petitioner submitted before this Court that inspite of issuing repeated summons upon the defendants, they deliberately avoided the said service and accordingly, prayed for passing necessary order in view of the above petition.

After hearing the submission of the Ld. Advocate for the petitioner, I find justifiable ground to believe that the said defendants are keeping out of the way for the purpose of avoiding service upon them and inspite of taking appropriate steps, the summons could not be served upon the defendants.

In view of the above circumstances, I find that it would be just and proper to give an opportunity to the petitioner for making substituted service upon the defendants by making an advertisement in a daily Bengali newspaper circulating in the locality in which the defendants have been last known to have been actually and voluntarily residing at present. Accordingly, the instant petition under Order 5 Rule 20(1A) read with Section 151 C.P.C. is hereby allowed. The petitioner is directed to take steps accordance with law in view of the order as mentioned above.

The draft publication if filed by the petitioner in the meantime be kept with the record.

To **13/08/2024** for appearance and for submitting final paper publication as mentioned above after filing of draft publication.

The petition do take steps in accordance with law at once.

Dicttd & Corttd. by me

sd/-
Addl. District Judge,
1st Court, Burdwan

sd/-
Additional District Judge
1st Court, Burdwan

Later : dated 06/07/2024

After passing of the above order the petitioner has filed a draft publication. Let it be kept with the record.

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B.C.-I is directed to issue the same after proper verification.

To date i.e. 13/08/2024 for appearance and for submitting final paper publication as mentioned above after filing of draft publication.

Dicttd & Corttd. by me

sd/-
Addl. District Judge,
1st Court, Burdwan

sd/-
Additional District Judge
1st Court, Burdwan