

Order 06

21.12.23

Today is fixed for hearing the application of the plaintiff dtd 11.10.23 u/o 5 Rule 20 CPC.

Plaintiff files hazira. Heard the Ld. Advocate for the plaintiff.

Perused the application, whereby the plaintiff has prayed for causing substituted service of summons upon the defendant by way of newspaper publication on the ground that the defendant is intentionally keeping himself out of the way to avoid such service upon him.

From the materials available on record it appears that the summons sent to the address of the defendant on several occasions by post returned without service on the ground that the defendant has left his address as mentioned in the cause title of the plaint.

In view of the above it is reasonably believed that the defendant is intentionally keeping himself out of the way to avoid service of summons of this suit upon him and as such the prayer made by the plaintiff in the application under consideration bears merit and should be allowed.

Hence it is

Ordered

that the application of the plaintiff dtd 12.10.23 u/o 5 Rule 20 CPC is hereby allowed.

Plaintiff is permitted to cause substituted service of summons of this suit upon the defendant by way of publication of notice in a daily Bengali newspaper widely circulated in or around the address of the defendant as well as by affixation of a copy thereof at any conspicuous place at the court premises.

Plaintiff is directed to take necessary steps for the above by 19.1.24.

D/C by me

Judge

Judge 2<sup>nd</sup> Bench