

## **Miscellaneous Appeal No. 04 of 2019**

### **Order No. 18 dated 18.11.2022**

Appellant files hazirah.

The petition under Order 5 Rule 20(1A) read with section 151 C.P.C., filed on behalf of the appellant is taken up for hearing.

Heard the Ld. Lawyer. Perused the instant application and the affidavit. Considered.

The appellant has stated on affidavit that the respondent Nos. 2, 3 and 4 intentionally keeping out of the way for the purpose of avoiding service and unless the service is made by advertisement in a daily newspaper, the service cannot be properly effected against them. It appears from the record that notices were issued upon the respondents. Unless the prayer of the appellant is allowed, the appellant shall suffer loss and injury. Hence, the petition files on behalf of the appellant under Order 5 Rule 20(1A) read with section 151 C.P.C. is hereby allowed.

The appellant is directed to serve notice upon the respondent Nos. 2, 3 and 4 by circulating the same in daily newspaper circulating in the localities in which the respondents are residing.

To **09.01.2023** for filing draft of notice to be published and further order.

Dictated & corrected by me.

Sd/- (Sri M.K. Rai)

A.D.J.

Sd/- (Sri M. K. Rai)

(J.O. Code: 0652)

Additional District Judge,  
1<sup>st</sup> Court, Serampore