

J.O. Code WB01302

Misc. Appeal - 12/2022

Order No.21 dated 05.01.2026:

Today is fixed for filing requisites.

Appellant files hazira and also files an application under Order 5 Rule 20 (1A) CPC praying for substituted service of summons upon the respondent No.2 by way of advertisement of Daily Newspaper.

Copy served other side. Raised no objection.

Other respondents i.e. 1(a) to 1(e) file hazira.

Petition is being moved.

Heard the Ld. Advocate of the appellant.

Perused the application under Order 5 Rule 20 (1A) CPC and the materials on record. Considered.

It appears from the record that summons was sent to the respondent No.2 through Court as well as registered post with A.D which returned unserved. It is apparent that the respondent No. 2 is intentionally avoiding service of summons and that it is not possible to effect service of summons upon him in usual course. In such circumstances, there is necessity of substituted service of summons upon the respondent No. 2.

Hence,

ORDERED

That the application under Order 5 Rule 20 (1A) CPC is allowed.

The appellant is permitted to cause service of summons upon the respondent No. 2 by publication in a Daily Newspaper having circulation in the area where the respondent No. 2 resides.

Fix 26.02.2026 for filing draft copy of paper publication.

Dict. & corr. By me.

Sd/-

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Addl. District Judge, 2nd Court,
Serampore, Hooghly.

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Serampore, Hooghly.

