

Mat – 250/21
CIS – 480/2019

Order No.22 dated 18.11.2024:

Today is fixed for filing requisites.

Petitioner files hazira through his Ld. Advocate.

No requisite has yet been filed.

Petitioner verbally submitted that his petition under Order 5 Rule 20 of the CPC has yet not been disposed of and is lying pending in the instant record. He prayed for moving this petition on this day which is allowed.

Heard the Ld. Advocate of the petitioner on the said petition. Perused the record.

It appears from the record that summons were sent to the respondent four times through Court as well as registered post with A.D which returned unserved with postal remark “left”. It appears that respondent is intentionally avoiding service of summons and it is not possible to effect serve summons upon the respondent in usual course. In such circumstances, there is necessity of substituted service of summons upon the respondent.

Hence,

ORDERED

That the application under Order 5 Rule 20 read with Section 151 CPC is allowed on contest without cost.

The petitioner is permitted to cause service of summons upon the respondent by publication in a Daily Newspaper having circulation in the area where the respondent resides.

Fix 04.01.2025 for filing draft copy of paper publication.

Dict. & corr. By me.
Sd/-

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

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Serampore, Hooghly.