

CIS Registration No. Ej. Suit 126-22

CNR:WBSP09-000825-2022

JO Code: WB01315

Order Dated –02.03.2023

Today is fixed for steps.

Plaintiff files hazira.

Ld. Advocate for the plaintiff moves a petition dated 19.01.2023 U/O 5, R-20 of CPC.

Now, the petition dated 19.01.2023 is taken up for hearing.

Ld. Advocate for plaintiff submits that steps upon the defendant had been taken and S/R upon him has returned un-served with endorsement 'absent'. He submits that the said defendant is intentionally avoiding the service of summons and so, he is praying for order of substituted service of summons upon the defendant.

Heard, Considered.

On perusal of the petition dated 19.01.2023 and materials on record, it is seen that S/R of the defendant, Ajit Singh, has returned un-served with endorsement 'absent'. The track report filed by the plaintiff also shows that the postal peon found the 'doors locked'.

Considering the same, this court is of the opinion that summons cannot be served upon the defendant in the ordinary way. As such, the prayer of the plaintiff is fit to be allowed.

Hence, the petition dated 19.01.2023 (IA 01/2023) is allowed ex-parte without costs.

Let the summons be served upon the defendant Ajit Singh by affixing a copy thereof in some conspicuous place in the Court-house and also in some conspicuous part of the house in which the said defendant is known to have last resided or carried on business or personally worked for gain. Requisites to be filed by the plaintiff immediately.

Fix **20.04.2023** for S/R.

Dictated & Corrected by me:

Civil Judge (Jr. Div.), Addl. Court,
Sealdah, South 24 Parganas

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