

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR  
CIVIL APPLICATION NO. 266/2009  
IN  
SECOND APPEAL No 256/2007  
(Vishwanath Katekar vs. Rajesh Kanhaiyalal Joshi and others )

-----  
Office Notes, Memoranda of Coram,  
appearances, Court's orders or directions      Court's or Judge's orders  
and Registrar's order

---

Mr R L Khapre, Adv.for applicant

**Coram : A.P.BHANGALE, J.**

Dated : 16<sup>th</sup> November, 2009

Heard. By this application filed under Order 5 Rule 20 of the Civil Procedure Code, the learned Advocate for the appellant/applicant states that despite several attempts made to serve respondent 1 and 2 at their last known addresses, they are avoiding service continuously and, therefore, notices have been received back unserved upon them. The appellant has desire to have effective service upon respondents and, therefore, prayed for substituted service alternatively under order 5 Rule 20 CPC, by way of paper publication of notices as against respondents 1 and 2.

2. Permission to serve, in view of O.5 R. 20 CPC by paper publication is allowed. Application is allowed accordingly. Compliance be

reported on or before before 16.12.2009.

**JUDGE.**

sahare