

RSA No.58 of 2007

30.12.2019

Present: Mr. H.S, Rangra, Advocate, for the appellant.

Mr. K.B. Khajuria, Advocate, for respondents No.1(a), 1(b), 1(d), 1(e), 2(a) to 2(c) and 3, 11 and 12.

CMP No.15164 of 2019

The present application has been maintained by the applicant/appellant, under Order 5 Rule 20 read with Section 151 of the Code of Civil Procedure, for substituted service of respondent No.1(c), namely, Kishori Lal, by affixation of notice/summons on his last known address. As per the applicant/appellant, the proposed respondent No.1(c) has not been seen on his last address for the last fifteen years and the applicant/appellant has also not heard about his whereabouts from anybody since long, but he was lastly seen residing in the same address at Village & Post Office Pandoh, Tehsil Sadar, District Mandi. It is further submitted that during pendency of the application, under Order 5 Rule 20 read with Section 151 of the Code of Civil Procedure, non-applicant/respondent No.1(c) was served on the same address and was proceeded against ex-parte and now, in the appeal the said respondent is again avoiding the service in ordinary modes and, thus, he is required to be served by way of alternative mode of service, by affixing of copy of summons/notice on the last known address as mentioned above.

2. Heard. For the reasons stated in the application, more particularly paras 2 and 3 thereof, as respondent No.1(c) has not been served by way of ordinary process, let the said respondent be served by way of alternative mode of service, by affixation of the summons on his last known address and also by way of publication in the Local Newspaper circulated in the

area, in accordance with law. Steps for service of respondent No.1(c) be taken within two weeks and thereafter this order be complied with. The application stands disposed of.

RSA No.58 of 2007

3. List after six weeks.

(Chander Bhusan Barowalia)
Judge

30th December, 2019
(Bhardwaj)