

RSA No. 58 of 2007

7.11.2017. Present: Mr. H.S. Rangra, Advocate, for the appellant.

Mr. K.B. Khajuria, Advocate, for proposed Lrs No. 1(a), 1(b), 1(d), 1(e) and 2(a) to 2(d).

None for the other respondents.

CMP No. 747 of 2017

The present application is maintained by the applicant under Order 5, Rule 20 of the Code of Civil Procedure, for substituted service/service by way of affixation of proposed respondent No. 1(c)-Shri Kishori Lal.

As per the applicant, after admission, the present Regular Second Appeal was listed for final hearing in the month of November, 2016 and thereafter, the same was listed for hearing in the month of August, 2017, for the service of the legal representatives of deceased respondent No. 1- late Smt. Tulki Devi. Notice issued to proposed respondent No. 1(c)-Kishori Lal was received back, with the report that the above proposed respondent has not been seen in the said village since last more than 15 years and other family members have also not heard anything about him since long. The applicant prays that as respondent No. 1(c)-Kishori Lal was residing/seen in the said village, he be served by way of substituted service, i.e. through affixation of notice on his house.

Heard. After going through the averments contained in the application, this Court finds that proposed respondent No. 1(c) could not be served by way of ordinary process. So, it is ordered that proposed respondent No. 1(c)-Kishori Lal be served by way of affixation, on his last known address. The application stands disposed of.

November 7, 2017
(hemlata)

(Chander Bhusan Barowalia)
Judge