



IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.153 of 2022

Sashirekha Pradhan & others

.....

Appellants

Represented by Adv. –
Mr. S. Mishra

-versus-

***Shyama Rout (since dead) &
others***

.....

Respondents

Represented by Adv. –

Mr. S.K. Behera
Mr.S. Rath

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
04.05.2026

Order No.

13. I.A Nos.462 of 2026 and 695 of 2026

1. This matter is taken up through hybrid mode.
2. These I.As under Order 5 Rule 20 of CPC, 1908 have been filed on behalf of the Appellants praying for service of the summons on the Respondent No.1(c) through substituted service by publishing the said summons in the local daily newspaper i.e. “The Samaj” which is circulating in the area of the Respondent No.1(c) on the ground that the Respondent No.1(c) is intentionally and deliberately avoiding to receive the summons in spite of repeated sending of summons to him and the aforesaid I.As of the Appellants are supported with affidavits.
3. Learned counsel for the Respondent No.1(a), 1(b) and 1(d) is present and there is no objection to the aforesaid I.As of the



Appellants and accordingly, the I.As of the Appellants are remain uncontroverted.

4. So, taking into account the uncontroverted facts in the I.As of the Appellants for service of summons against Respondent No.1(c) through substituted service cannot be held as unacceptable under law.

5. Hence, I.As under Order 5 Rule 20 of CPC, 1906 filed on behalf of the Appellants are allowed.

6. The Appellants are allowed to service the summons on Respondent No.1(c) in the 2nd appeal vide RSA No.153 of 2022 through substituted service by publishing the summons in the local daily newspaper “The Samaj”.

7. As such, the I.As are disposed of finally.

(ANANDA CHANDRA BEHERA)
Judge

14. **RSA No.153 of 2022**

1. In view of the final order passed in I.A Nos.462 of 2026 and 695 of 2026, learned counsel for the Appellants is directed for filing of the draft notice to be checked by the Registry for publication of the substituted service of summons ” against Respondent No.1(c) in the local daily newspaper “The Samaj.

2. List this 2nd appeal four weeks after.

(ANANDA CHANDRA BEHERA)
Judge



15. **IA No.66 of 2024**

1. Interim order, which was continuing till today, the same shall continue till the next date.

(ANANDA CHANDRA BEHERA)
Judge

Pradeep