

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Miscellaneous Application No. 41/2026

Smt. Sultana Begum Wife Of Shri Haji Haider Bux,

-----Petitioner

Versus

Ramesh Chandra Sharma Son Of Shri Brij Dayal Sharma,

-----Respondent

Connected With

S.B. Civil Restoration Application No. 125/2022

Smt. Sultana Begum W/o Haji Haider Bux

-----Petitioner

Versus

Ramesh Sharma S/o Brij Dayal Sharma

-----Respondent

For Petitioner(s)	:	Mr. Ashwini Kumar Chobisa & Ms. Priyansha Gupta, (For respondents in S.B. Civil Restoration Application No. 125/2022) Mr. Mirza Sharafat Beg
For Respondent(s)	:	Mr. R.K. Daga, Mr. Rahul Singh, Ms. Nandini Bhowan, Ms. Shruti Jain for Mr. Sunil Nath

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

08/05/2026

In S.B. Civil Miscellaneous Application No. 41/2026:-

- Respondent No.3/1/1 has moved the present application, seeking to recall the order dated 27.04.2022, whereby and whereunder SB Civil First Appeal No.23/2002 was dismissed.
- Since, SB Civil Restoration Application No. 125/2022 has already been filed on behalf of appellant, seeking to restore SB Civil First Appeal No.23/2002, and same is pending for consideration, hence, the present application shall be heard and

considered alongwith SB Civil Restoration No.125/2022, therefore, be tagged with the restoration application. Copy of application be served to contesting parties.

In S.B. Civil Restoration Application No. 125/2022:-

3. An application (I.A. No.2/2024) has been filed by and on behalf of the appellant under Order 5 Rule 20 read with Section 151 CPC, seeking to allow substitute service of unserved respondent No.3/1/2- Smt. Hansa, by way of publication of notices in daily newspapers.
4. It has *inter alia* been stated in the application that notices were issued to the unserved respondent by both modes, ordinary as well as registered post, but same could not be served, though the address, indicated in the title page of restoration application, and on which, notices were sent, is correct. Learned counsel submits that unserved respondent is evading service of notices.
5. The application is supported with the affidavit.
6. Having considered reasons mentioned in the application, permission to effect substitute service of unserved respondent No.3/1/2- Smt. Hansa is granted. Appellant may get publish notices in two daily newspapers, i.e., (1) Dainik Bhaskar and (2) Rajasthan Patrika, having circulation in the State of Rajasthan, including Jaipur City, on the cost and expenses of the appellant.
7. Notices may also be given 'dasti' to the appellant for publication in the newspapers.
8. Needful be done within a period of four weeks.
9. After publication, the appellant shall place on record the newspapers, wherein notices of unserved respondent are published.

10. Accordingly, application (I.A. No.2/2024) stands disposed of.

11. In view of the above, application (IA No.1/2024) filed by and on behalf of respondent No.3/1/1, seeking to dispense with service of notices upon respondent No.3/1/2, is dismissed as withdrawn.

(SUDESH BANSAL),J

Sachin/-10