



19.09.2024
Item No.8
Ct. No. 30
Aloke

**SA 417 of 1987
with
CAN 14 of 2024
CAN15 of 2024**

**Ranendra Nath Roy
Vs
Paresh Nath Roy & Ors.**

Mr. Dilip Kr. Maity
... for the appellant

It appears that in the present second appeal is of the year 1987.

The Trial Court records are not before this Court. Accordingly, as the appellant is being represented and two CAN applications have been filed, the appellant is directed to deposit special messenger cost for transmitting the Trial Court Records before this Court.

It appears that the respondents are not being represented.

From the affidavit-of-service it shows that in spite of attempts by the appellant to serve, the respondents could not be traced out and the appellant has thus prayed for substituted service by way of an application being CAN 14 of 2024.

Heard the learned counsel for the appellant. As the hearing of the CAN application no. 14 of 2024 does not require the presence of the respondents, the application stands allowed and the appellant is permitted to take necessary steps for substituted service under



Order 5 Rule 20(1) of the CPC as per their prayer in para 4 and also by way of paper publication.

The appellant is directed to file a draft paper publication before the department who shall verify the same and issue the same in favour of the appellant to be published in a widely circulated newspaper.

A copy of the said newspaper be filed before this Court on the next date of hearing.

Accordingly, CAN 14 of 2024 stands disposed of.

CAN 15 of 2024 shall be heard along with the appeal on the next date of hearing.

Let the matter appear after vacation in the monthly list of November, 2024.

(Shampa Dutt (Paul), J.)