

ITEM NO.19

SECTION XI

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

BEFORE REGISTRAR B. SUDHEENDRA KUMAR

CIVIL APPEAL NO(s). 7573 OF 2005

DINESH DUTT VAIDH

Appellant (s)

VERSUS

RAJESH KUMAR SRIVASTAVA & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 13/07/2006 This Appeal was called on for hearing today.

For Appellant(s)

Mr. Shiva Pujan Singh,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

The petitioner has filed an application for substituted service of notice on the

respondent Nos. 1, 3 and 4 to 6 by publication in two daily newspapers.

I have perused the application.

It is revealed that the notice could not be served on res

pondent Nos. 1, 3 and 4 to 6

under normal mode of service despite earnest efforts taken in this regard. The names of the

newspapers are not mentioned in the application. The learned counsel has submitted that 'The

Times of India' an English Daily and 'Rashtriya Sahara', Hindi Daily, are the newspapers having

wide circulation in the place of residence of the above respondents. Having regard to the averments

in the application in the light of the submission of the learned counsel, I am inclined to allow this

application with a further direction that notice on the above respondents be served by affixation on

their last known address as well.

In the result, this application stands allowed and it is ordered that notice on the above

respondents be served by publication in 'The Times of India' and 'Rashtriya Sahara' dailies. The

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process for publication shall be given as dasti to the petitioner who shall file affidavit in proof of

publication along with the newspapers within six weeks. The process for affixation shall be sent

from the office directly to the District Judge concerned.

List again on 28.8.2006.

(B. Sudheendra Kumar)

Registrar