

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 539 OF 2018

IN

MISC.CIVIL APPLICATION NO. 861 OF 2017

CONSERVATOR OF FORESTS, GOVERNMENT
OF GOA, PANAJI AND 4 ORS., ... Applicants

Versus

ATMARAM XEMBU POI PALONDICAR
(DECEASED) BY HIS LRS. AND 28
ORS., ... Respondents

Ms. Kholkar Neha Umesh, Addl. Government Advocate for the
Applicants.
Adv. S. Bhobe for Respondents no.19 & 20.

Coram:- C. V. BHADANG, J.

Date:- 17th July 2018

P.C.:

This is an application for substituted service on the respondent no.11 by publication. The report of the bailiff shows that the regular service could not be effected on account of the address of the respondent no.11 being insufficient. The learned Addl. Government Advocate points out that the same address was furnished by the respondent no.11 before the lower court and the applicant has no other address for service. Under Order 5 Rule 20 of C.P.C, the Court can direct substituted service to be effected on a party if it finds that the defendant/respondent is keeping out of way for the purpose of avoiding the service or that

for any other reason the summons cannot be served in the ordinary manner.

2. In the present case, it appears that for want of correct address the summons could not be served. The application is supported by an affidavit. For the reasons mentioned in the application the same is allowed.

3. The returnable date shall be show as 28/8/2018.

4. The civil application is disposed off.

C. V. BHADANG, J.

ap/-