



CAF No.141/2024 in First Appeal No. 980/2011

-

Coram : Registrar(Judicial)

Dated : 16.01.2024

This application is filed under Order V Rule 20 of the Code of Civil Procedure, 1908, for grant of permission to serve proposed legal heirs of respondent no.1 i.e. respondent no.1(a) to 1(c) by substituted service i.e. by affixing copies of notice on the door of the house in which aforesaid proposed respondents reside. The appellants has filed CAF No. 1401/2023 and CAF No. 1402/2023 for condonation of delay, setting aside abatement and bringing LRs of respondent no.1.

It is stated in the present application that the notice issued to the aforesaid proposed respondents returned back unserved. It is stated that the legal heirs of the respondent no.1 are itself residing on the given address and they are trying to avoid service of notice and therefore the summons cannot be effected by ordinary mode. In order to make effective service of notice, the applicant thus prays for issuing notice by substituted service upon aforesaid proposed legal heirs of respondent no.1.

Considering the reasons mentioned in the application, the application is allowed. Substituted service be effected afresh on **proposed respondent nos.1(a) to 1(c)** by affixing copies of notices on some conspicuous part of last known address of the said proposed respondents in terms of Order V Rule 20(1) of C.P.C.. The notice is made returnable within four weeks.

Dated:16.01.2024

(D.P. Satawalekar)
Registrar (Judicial)