

IN THE HIGH COURT OF JHARKHAND AT RANCHI

F.A. No. 91 of 2015

Ashok Kumar Singh ... Applicant/ Appellant
Versus
The State of Jharkhand & Ors. ... Opposite Parties/ Respondents

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Yogesh Modi, Adv.
For the State : Addl. P.P.

14 / 09.07.2020

I.A. 3496 of 2020

Heard learned counsel for the appellant through Video Conferencing.

Learned counsel for the appellant submits that this interlocutory application has been filed with a prayer for substituted service of notice upon the respondent nos. 2 and 3 as the respondent nos. 2 and 3 are keeping out of the way to avoid the service of notice upon them and unless the substituted service of notice by publishing contents of notice in a daily newspaper - Hindustan / Prabhat Khabar, Dhanbad edition is submitted, there cannot be substituted service of notice.

Considering this fact that notice could not be served upon the respondent no. 2 and 3 by regular process, the prayer for substituted service of notice upon respondent nos. 2 and 3 by publishing the contents of notice in the daily newspaper - Hindustan / Prabhat Khabar, Dhanbad edition is allowed.

The appellant is directed to file the draft of notice to be published in the newspaper within two weeks.

The registry is directed to issue the approved draft of the notice to the learned counsel for the appellant within

three weeks after submission of the draft and in the draft notice issued, the date fixed must be at least a period of six weeks from the date of the handing over of the said notice to the appellant, for appearance of the respondent no. 2 and 3 either in person or through their Advocate.

List this case after filing the proof of publication of the notice in the newspaper by the appellant or twelve weeks, whichever is earlier.

(ANIL KUMAR CHOUDHARY, J.)

I.A. 6637 of 2018

Learned counsel for the appellant submits that he does not press this interlocutory application since the prayer has become infructuous.

Accordingly, this interlocutory application is dismissed being infructuous.

(ANIL KUMAR CHOUDHARY, J.)

Smita/-