

[illegible]

The Petitioner by Ld. Counsel present.

The Petitioner was directed to verify the address of the Respondent as the process server of this court submitted a report to the effect that he went on 04.06.2024 to serve notice to the present Respondent and on reaching Khongnam Manglin, it is stated that there is no Lamabam surname in Khongnam Manglin and there is no a woman L. Chaoba Devi.

As per direction of the court, the Petitioner filed an affidavit stating that the Respondent filed a Complaint Case being No. 29 of 2023 before the Human Rights Commission for Women against the present Petitioner. The address of the Respondent is shown as Lamabam Chaoba Devi, aged about 40 yrs, D/O Late Lamabam Chandrakumar, of Khongnam Manglin, P.S. Irlbung and P.O. Porompat, Imphal East District, Manipur and an order dated 29.11.2023 was also passed by the said Human Rights Commission for Women in the said Complaint Case No. 29 of 2023. The Affidavit also enclosed a copy of the notice issued to the present Petitioner as Annexure-A1 and a copy of the order dated 29.11.2023 wherein the particulars of the present Respondent and the particulars mentioned in the said Complaint Case No. 29 of 2023 are the same.

The report submitted by the process server of this court and the affidavit submitted by the present Petitioner and the enclosed documents as Annexure A-1 and A-2, I am of the view that the Respondent Smt. Lamabam Chaoba Devi is avoiding from service of notice in c/w the present case. In such circumstances, normal course of summoning notice to the Respondent shall be a futile exercise. It may be mentioned that there was a provision u/o V Rule 19-A.C.P. for simultaneous issue of summons for service by post in addition to personal service has now been omitted vide amendment Act, 1999 w.e.f. 01.07.2002 hence, this court has no other alternatives except to publish such notice by way of substituted service u/o V Rule 20 C.P.C.

Hence, the Petitioner is directed to publish such notice in a daily local newspaper which is widely circulated in an around Khongnam Manglin for 2 days consecutively preferably in Manipuri Vernacular.

Fix 16.08.2024 for appearance.

The petitioner is to take step.

Sd/- **Waikhom Tonen Meitei**
Judge
Family Court, Thoubat

HL-P/643/23 & 24