

(3) If his usual residence be in another district, the summons may be sent by post to the Collector of that district, who shall cause it to be served in accordance with the provisions of sub-section (2).

Compelling
attendance of
witness.

229. If any person on whom a summons to attend as witness or to produce any documents has been served fails to comply with the summons, the officer by whom the summons is issued under section 227 may,—

- (a) issues a bailable warrant of arrest ;
- (b) order him to furnish security for appearance ; or
- (c) impose upon him a fine not exceeding fifty rupees.

Mode of
serving
notice.

230. (1) Subject to the provisions of this code and the rules made thereunder, every notice under this Code may be served either by tendering or delivering a copy thereof, or sending such copy by post to the person on whom it is to be served or his authorised agent, or if service in the manner aforesaid cannot be made, by affixing a copy thereof at his last known place of residence or at some place of public resort in the village in which the land to which the notice relates is situated or from which the land is cultivated.

(2) No such notice shall be deemed void on account of any error in the name or designation of any person, or in the description of any land, referred to therein, unless such error has produced substantial injustice.

Procedure
for producing
attendance
of witnesses.

231. In any formal or summary inquiry if any party desires the attendance of witnesses he shall follow the procedure prescribed by the Code of Civil Procedure, 1908, for parties applying for summons for witnesses.

V of
1908.

Hearing in
absence of
party.

232. (1) If on the date fixed for hearing a case or proceeding, a revenue officer or survey officer finds that summons or notice was not served on any party due to the failure of the opposite party to pay the requisite process fees for such service, the case or proceeding may be dismissed in default of payment of such process fees.

(2) If any party to a case or proceeding before the revenue officer or survey officer does not appear on the date fixed for hearing, the case may be heard and determined in his absence or may be dismissed in default.

(3) The party against whom any order is passed under sub-section (1) or (2) may apply within thirty days from the date of such order to have it set aside on the ground that he was prevented by any sufficient cause from paying the requisite 'process fees' for service of a summons or notice on the opposite party or from appearing at the hearing and the revenue officer or survey officer may, after notice to the opposite party which was present on the date on which such order was passed and after making such inquiry as he considers necessary set aside the order passed.

(4) Where an application filed under sub-section (3) is rejected, the party aggrieved may file an appeal to the authority to whom an appeal lies from an original order passed by such officer.

(5) Except as provided in sub-section (4) or except where a case or proceeding before any such officer has been decided on merits, no appeal shall lie from an order passed under this section.