

29.01.2025

CS No. 10164/16
Jag Mohan Gupta vs. Girdhari Lal

Present: Sh. Ayush Chauhan and Ms. Tia Sachdeva, Ld. Counsel for the plaintiff no. 2A a/w Plaintiff no. 2a.
Sh. Mayank Bansal, Ld. Counsel for Lrs of defendant no. 11.
Sh. Gurtejpal, Ld. Counsel for LR no. 1C through VC.
Sh. Srivats Kaushal, Ld. Counsel for Lr no. 2A, 2B, 3B and 3C through VC.
Sh. S.S Jain, Ld. Counsel for the defendant no. 10.

It has been pointed out by the parties jointly that an application has been filed by one Urban Improvement Company Pvt Ltd in compliance of order dated 16.12.2023 as passed by the Hon'ble High Court of Delhi whereby Urban Improvement Company Pvt has been directed to deposit the remaining 50% use and occupation charges before this court.

Pursuant to the orders dated 16.12.2023, Urban Improvement Company Pvt Ltd has filed the present application seeking to deposit the remaining 50% of the arrears and current use and occupation charges payable to the co-owners.

Since the said application has been filed by Urban Improvement Company Pvt Ltd pursuant to orders dated 16.12.2023 as passed by the Hon'ble High Court of Delhi, the said application stands allowed and Urban Improvement Company Pvt Ltd is directed to deposit the remaining 50% of the arrears and current use and occupation charges in this court by way of demand draft in the name of the court who shall continue to deposit the same in compliance of the orders as passed by the Hon'ble High Court of Delhi which shall abide by the final decree for which the proceedings are pending in this court .

Needless to say that whatever amount is being made by M/s Urban Improvement Company Pvt Ltd pursuant to orders passed by the Hon'ble High Court of Delhi are subject to the allocation thereof in terms of the final decree for which the present suit is pending disposal.

A copy of the order be forthwith sent to M/s Urban Improvement Company Pvt Ltd having its office at F-32, First Floor, Cannought Place, New Delhi-01 for its immediate compliance.

Pursuant to orders as passed on 03.12.2024, the parties submit that they could not inspect the court record and are unable to assist the court with respect to the service of the notices required to be served on Lrs/parties.

Perusal of the record shows that despite detailed orders being passed, the parties are unable to point out/carry out service upon the various Lrs which are required to be impleaded/deleted since the year-2012 and for which the parties are unable to effect service upon the said Lrs.

Under the circumstances and keeping in view the extra ordinary circumstances involved in the present matter where the parties do not know the addresses of the Lrs and despite best efforts made by the court, are reluctant to inform the addresses etc., of the said Lrs, it is deemed appropriate that a publication be carried out in two leading daily newspapers i.e. *Times of India and Veer Arjun* having circulation in Delhi for carrying out substituted service since the summons cannot be served in the ordinary manner upon the said parties.

The publication be carried out alongwith the latest amended memo of parties i.e. filed on 07.07.2023 on filing of PF.

Renotify for further proceedings on **14.02.2025 at 2:00 PM.**

Sachin Sood
DJ-01, Central, THC
Delhi, 29.01.2025