

M/S Fincap Financial Corporation Ltd Vs. Rohit Chugh and Ors
18.04.2026

Present. Sh. Suyash Rawat, Ld. counsel for the plaintiff through
VC.

Heard. Perused.

As per report of Ahlmad, **an affidavit qua furnishing of mobile numbers of defendants** was e-filed on 19.03.2026 and hard copy thereof was placed in judicial file on same day.

Memo of parties and **an application under Section 151 CPC seeking permission to file process fee** (IA No. 3/26) through whatsapp and email to defendants were e-filed on 05.04.2026 and hard copies thereof were placed in judicial file on 06.04.2026.

Summons for appearance under Order XXXVII CPC issued to defendant no. 1 in the ordinary course through Nazarat Branch has been received back with the report that Rohit Chugh (defendant no. 1 herein) was residing earlier at the given address but had vacated the same and that given address was lying locked for the last about 3-4 years.

Summons for appearance under Order XXXVII CPC issued to defendant no. 2 in the ordinary course through Nazarat Branch has been received back with the report that Meetu Chugh (defendant no. 2 herein) was residing earlier at the given address but had vacated the same and that given address was lying locked for the last about 3-4 years, whereas the said summons at her second address has been received back with the report that on first attempt on 24.03.2026, one lady met at the given address and stated that Meetu Chugh (defendant no. 2) resides there but visits the given address

occasionally and on second attempt on 28.03.2026, the given address was found locked and one neighbour stated that Meetu Chugh (defendant no.2) visits the given address sometime for 1-2 hours and there is no fixed day or time of her visit and that given premises mostly remains locked.

Summons for appearance under Order XXXVII CPC issued to defendant no. 3 in the ordinary course through Nazarat Branch has been received back with the report that one person residing at ground floor had claimed that Naresh Chugh (defendant no. 3) was earlier residing at first floor of the given address on rent but had vacated the same about 8-10 months ago.

Summons for appearance under Order XXXVII CPC issued to defendant no. 1 through speed post has been received back with the report “addressee left”.

Summons for appearance under Order XXXVII CPC issued to defendant no. 2 at first address through speed post has been received back with the report “addressee left”, whereas at her second address has been received back with the report “left confirmed by addressee on phone”.

Summons for appearance under Order XXXVII CPC issued to defendant no. 3 through speed post has been received back with the report “addressee refused, returned to sender on 07.04.2026”.

However **an application dated 16.04.2026 for putting appearance on record as per Order XXXVII CPC** (IA No. 4/26) on behalf of the defendants was e-filed by Rashid Islam and Associates

Advocates, Ch. No. 184, Western Wing, Tis Hazari Court, Delhi-1100054, Mobile No. 9958546504, email adv.rashidislaam@gmail.com. However in the said application for appearance, it is not mentioned as to what is the date of respective service of all the 03 defendants qua summons with summons for appearance under Order XXXVII CPC, but it is mentioned that summon for appearance in the above suit was served upon the defendant on 06.04.2026. **Ld. counsel for the defendants is directed to furnish the present correct addresses of all the 03 defendants, their mobile number having whatsapp and email IDs, if any, within one working day, with advance copies thereof be supplied to Ld. counsel for the plaintiff. The aforesaid application (IA No. 4/26) stands disposed of accordingly.**

Since the appearance has been put in on behalf of the defendants, **therefore I.A. No. 3/26, has become infructuous and is disposed of.**

Ld. counsel for the plaintiff has submitted that in view of putting in appearance by Ld. counsel for the defendants pursuant to service of summons for appearance under Order XXXVII CPC, he shall e-file an appropriate application for issuance of summons for judgment u/o XXXVII CPC, to defendants within two weeks.

Re-notify for further proceedings on **05.05.2026.**

(This Court is satisfied qua the audio & video connectivity of video-conferencing hearing).

(Ashutosh Kumar)
District Judge (Commercial Court)-01
West, Tis Hazari Courts, Delhi/18.04.2026