

CS (COMM) 597/26

Shri Rikab Chand Munot Vs. Konnect Infratech Pvt. Ltd.

07.09.2026

Present: Sh. Yash Mittal Ld. Counsel for the plaintiff along
with plaintiff Rikab Chand Munot.

Sh. Yash Preet Singh Ld. Counsel for the defendant.

1. Ld. Counsel for the defendant has filed an application under Section 151 CPC along with *vakalatnama*.
2. In the aforesaid application it is stated that recently the defendant company came to know about the pendency of the present suit; the summons of the suit were issued at the addresses, which have already been left by the defendant company; presently the defendant company is carrying its business from E-143, Sector 7, Noida, Gautam Budh Nagar, U. P., Pin 201301. It is therefore, prayed that the aforesaid address of the defendant company may kindly be taken on the record and plaintiff may be directed to supply the complete and legible copy of the plaint and applications and the defendant may be granted statutory time to file the written statement.
3. It is also stated by the Ld. Counsel for the defendant that the present suit on the face of it, is time barred.
4. Ld. Counsel for the plaintiff submits that at the time of filing the present suit, the plaintiff had furnished three addresses of the defendant company, which are as under:-

1st Address: *Konnect Infratech Pvt. Ltd.*
having its office at: C-140, Sector-140,
Sector-10, Noida, UP-201301.

*2nd Address: E-136, III Floor, Sector-7, Noida, U. P.
201301.*

*3rd Address: E-143, Sector-7, Noida, Gautambudh Nagar,
Uttar Pradesh-201301.*

5. Ld. Counsel for plaintiff submits that the processes/ summons were issued at all the aforesaid three addresses and as per the tracking report filed by the plaintiff along with the affidavit regarding service, the defendant company has been served at one of the addresses and the process issued at 3rd address, which is the fresh address of the defendant company as per the aforesaid application, the defendant company refused to accept the service. According to Ld. Counsel for the plaintiff, the defendant company was duly served.
6. Ld. Counsel for the plaintiff submits that the application of the plaintiff moved under Order VI Rule 17 read with Section 151 CPC is yet to be disposed off.
7. Heard and perused the record.
8. From the record it is evident that at the time of filing of the present suit, the plaintiff had given all three addresses of the defendant company, as noted herein above; one of the addresses of the defendant company i.e. 3rd address is the same address which has been furnished by the defendant company today by way of instant application. It is further evident that the process/ summons had been issued at all the aforesaid three addresses. As per the process issued through speed post at the 3rd address, the process received back with the report that the defendant company refused to

accept the service; at the 2nd address, the process issued through speed post, received back with the report *“addressee left without instructions”* and at the 1st address, the defendant company is said to have been served on 25.07.2026.

9. Thus, from the aforesaid records, it is evident that the defendant company was duly served at the first address through speed post. In addition to that, refusal of service on behalf of the defendant at the 3rd address, is a valid service. Therefore, for all purposes, it shall be considered that the defendant company was served on **22.07.2026** i.e. the date when the report regarding refusal was given by the postal authorities as the defendant company refused to accept the process issued through speed post. The said refusal report has been given by an independent public authority and there is nothing on record to disbelieve the same.
10. In these circumstances, the defendant company may file the written statement and as and when the written statement is filed, it shall be considered in accordance with the law.
11. The defendant company may also file the miscellaneous application as submitted, challenging/assailing the present suit on the ground of limitation, with an advance copy to the opposite counsel.
12. Ld. Counsel for the plaintiff has provided the copy of the plaint and copy of the application moved under Order VI Rule 17 read with Section 151 CPC.

13. Ld. Counsel for the defendant company submits that he would be filing the reply to the aforesaid application.
14. Reply if any, be filed by the next date of hearing with an advance copy to the opposite counsel.
15. Here it is made clear that though copy of the plaint has been supplied to the defendant company today but it does not mean that limitation to file the written statement would start from today. It is clarified that the limitation for filing the written statement had already started from 22.07.2026 i.e. the date of refusal of service by the defendant company.
16. Now put up for consideration on **09.10.2026**.

(Rajesh Kumar Goel)
District Judge (Commercial Court)-02
Central District, Tis Hazari Courts, Delhi
07.09.2026