

Suit No. 112/17

20.12.2018

Present : Sh. G.S. Bisht, Advocate for the petitioner.
Ms. Madhumita, Advocate for R-2 / Insurance Co.

It is 12.15 p.m.

The petitioner moved an application under Order 5 Rule 20 CPC for service of the respondent No. 1 through substituted service by way of publication or affixation. It is seen that the petition was filed on 18.07.2017. Till 18.09.2017, the petitioner had not taken any step for service of the respondent No. 1. Thereafter, notice of the petition sent to the respondent No. 1 for 21.03.2018, vide order dated 24.01.2018, was not received by the tribunal. In the absence of material that the respondent No. 1 is evading summons or cannot be served by way of ordinary process, he cannot be served by way of substituted service. Accordingly, the application under Order 5 Rule 20 CPC is dismissed. Issue fresh notice of the petition to the respondent No. 1 on PF and RC for **10.04.2019**. Steps be taken by both modes within four weeks from today.

NK

Sanjay Sharma
PO MACT (East)/KKD
Delhi/20.12.2018