

**CS 801/17**  
**KANSO DEVI ORS.**  
**Vs.**  
**KISHAN LAL ORS.**

15.03.2023

Present : Mr. M.S. Rohilla, Ld. Counsel for plaintiff.  
Ms. Shikha Poddar, Ld. Counsel for defendant no.1  
& 3 and LRs of defendant no.2, namely, Karishma,  
Rajiv and Anjana except Rajnish.

Fresh vakalatnama filed on behalf of above named LRs as well as for defendant no.1 & 3. The same be taken on record.

At this stage, application U/O XXII Rule 4 and U/O VI Rule 17 CPC filed on behalf of the plaintiff for impleading the LRs of defendant no.2 and for correction in the names of LRs of defendant no.2- Mahinder Pal. The same be taken on record. Copy supplied to counsel for defendant nos. 1, 3 and all the LRs of defendant no.2 except Rajnish.

At this stage, it is submitted by counsel for the plaintiff that apart from the address mentioned in the memo of parties, there is no other address of LR Rajnish in his knowledge. On the other hand, counsel for remaining defendants submits that she do not have any fresh address of LR Rajnish as well and he is not residing at the address mentioned in the memo of parties. Further, summons sent to the LR Rajnish already received back unexecuted.

In these circumstances, ld. Counsel for plaintiff

submits that since he does not have the current address of the LR Rajnish, he could not be served by way of ordinary process. Accordingly, LR Rajnish may be served by way of substituted service U/O 5 Rule 20 CPC.

Heard.

The court is satisfied that the LR Rajnish cannot be served in the ordinary course. Therefore, LR Rajnish be served at his last known address by way of publication in Hindi Newspaper (**Dainik Jagran**) as suggested by counsel for the plaintiff on filing of PF. Publication charges be deposited directly with the newspaper office for **17.05.2023**. *Steps be taken within 15 days.*

At this stage, counsel for remaining defendants submits that she has no-objection if the remaining LRs of defendant no.2 are impleaded as party in the present suit and also she has no-objection, if the application U/O VI Rule 17 CPC seeking correction in the names of LRs is allowed, since the matter is at the initial stage. Her no-objection is taken on record.

Put up for service of LR Rajnish/ further proceedings on **17.05.2023**.

(Ajay Garg)  
Additional District Judge-01  
(East)/KKD/Delhi/15.03.2023