

CS No.316/23  
ASLAM PARVEZ Vs. AMNA BEGUM

07.03.2025

Present: None.

Put up for second call.

(SANJEEV JAIN)  
Principal District & Sessions Judge  
North-East, Karkardooma Courts,  
Delhi/07.03.2025

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**11.24 am**

Present: Sh. Javed Khan, Counsel for the plaintiff.  
Sh. Salman Chaudhary, Proxy counsel for defendant  
No.1 and 2 through VC.  
None for other defendants.

I have heard the ld. Counsels. It is pointed out that as per order dated 29.07.2024 defendant no.3 and as per order dated 28.03.2024 defendant no.4 has already been served but they have not appeared despite service of notice. Till date they have also not filed any written statement. I am satisfied that defendant no.3 and 4 have already been served long back. Defendant no.3 and 4 are proceeded ex-parte.

Contd2/....

Defendant no.5 and 6 are still unserved. It is stated that last known address of defendant no.5 and 6 has been mentioned in the plaint. Fresh address of defendant no.5 was also filed. It is stated that despite efforts defendant no.5 and 6 could not be served through ordinary process.

Heard on application filed by plaintiff under Order V Rule 20 CPC for service of summons upon defendant no.5 and 6 through substituted modes. In my opinion, defendant no.5 and 6 cannot be served through ordinary process. Application allowed. Defendant no.5 and 6 be served by way of publication in newspaper 'Veer Arjun' (Hindi) Edition published from Delhi and 'Statesman' (English) Delhi Edition on filing of PF. Process be given dasti. Publication charges may directly be deposited by the plaintiff with newspaper agency concerned. Steps be taken within 15 days. After publication copy of newspaper be sent to defendant no.5 and 6 through registered AD by plaintiff at the last known addresses. It is stated that mobile phone number, fax or email addresses of defendant no.5 and 6 is not available with the plaintiff.

Put up for publication report on next date.

An application filed by the plaintiff under Order XXXIX Rule 1 and 2 CPC. Its copy retained for defendant no.1, 2, 3 and 4 which may be collected by them from the Reader/Ahlmad of this court and reply, if any, may be filed at least 7 days prior to the next date of hearing.

Put up for following steps:

contd3/....

- 1) Service of defendant no.5 and 6 through publication.
- 2) Appearance of defendants.
- 3) Filing of written statement by defendant no.5 and 6 within 30 days from the date of service of summons by giving advance copy to the ld. counsel/plaintiff.
- 4) Filing of documents by the parties. Advance copies be given.
- 5) Reply and arguments on application under Order XXXIX Rule 1 and 2 CPC.
- 6) Reply and arguments on pending application under Order VII Rule 11 CPC filed by defendant no.1.

Fix for 06.05.2025.

Copy of the order be given dasti for the plaintiff.

(SANJEEV JAIN)  
Principal District & Sessions Judge  
North-East, Karkardooma Courts,  
Delhi/07.03.2025