

CS DJ 239/24

VINAY KUMAR GUPTA Vs. RAJ GUPTA @ RAJ KUMAR
GUPTA

07.09.2026

Present : None for plaintiff.

Today the matter was fixed for appearance of defendants.

On perusal of record, it reveals that since 16.07.2024 the present matter is pending for issuance of summons for settlement of issues to defendant upon filing of PF/RC by plaintiff.

The considerable fact is that since 16.07.2024 the matter has been taken up seven times and on each and every date opportunity was given to plaintiff to file PF/RC for issuance of summons but on each and every date status remained same that no step has been taken by plaintiff for issuance of summons by not depositing the PF/RC.

The said conduct of plaintiff is considerable u/o 9 rule 2 CPC, as per which a suit can be dismissed if summons could not be served upon defendant in consequence of the failure of plaintiff to pay the postal charges, chargeable for service.

Considering the conduct of plaintiff under Order 9 Rule 2 CPC, the present suit stands dismissed.

File be consigned to record room.

(AMIT SAHRAWAT)
DISTRICT JUDGE-02/NORTH/ROHINI
DELHI/07.09.2026