

**Geeta Devi
Vs.
Mohd. Yaqoob & Anr.**

12.07.2022

Present: Mr. Satish Kumar, Ld. LAC for the plaintiff.

Ld. LAC for the plaintiff submits that by way of his application under Section 151 CPC, he seeks recalling of order dated 20.01.2020. He submits that he took steps for the service of defendant no. 1 and 2 vide order dated 16.11.2018 and 07.02.2019. However, he could not take steps in furtherance of order dated 27.04.2019. He submits that since last opportunity was granted to him for service of defendant no. 1 and 2, his suit was dismissed for want of prosecution against defendant no. 1 and 2 on 31.01.2020. He submits that no report came back for the PF filed for the appearance of defendants on 27.04.2019. He further submits that due to countrywide lockdown, the plaintiff could not file the fresh address of defendant no. 1 and 2 and accordingly, he has prepared an application under Order V Rule 20 CPC for service of defendant no. 1 and 2 by way of publication.

Heard. Record perused.

In the interest of justice, the order dated 20.01.2022 is recalled and the application of the plaintiff under Section 151 CPC is allowed.

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Ld. LAC for the plaintiff presses his application under Order V Rule 20 CPC for substituted service of defendant no. 1 and 2. He submits that the fresh addresses of defendant no. 1 and 2 could not be found and therefore, he be allowed to serve the defendant no. 1 and 2 by way of publication.

Heard Ld. Counsel for plaintiff.

Let defendant no. 1 and 2 be served by way of publication in the newspaper '*VEER ARJUN*' on filing of PF and depositing the requisite fees for **19.10.2022**.

Application is disposed off accordingly.

Shivali Bansal
ADJ-03, Rohini Courts
North District, Delhi
12.07.2022