

**VIJAY KUMAR JAIN
Vs.
JAI PRAKASH RANA**

16.11.2023

Present: Mr. Saurabh Yadav, proxy Counsel for the plaintiff.
Mr. S.Chaturvadi, Ld. Counsel for the defendant no.1.
Defendant no.2 yet to be served.
Sh. G.S Bhatia Ld. Counsel for defendant no.3.

ORDER

1. Ld. Counsel for plaintiff has moved an application u/o 5 rule 20 for service of defendant no.2 by way of substitution. It is stated by him that defendant no.2 cannot be served by ordinary process and therefore his application may be allowed.
2. Heard record perused.
3. The application stands allowed. Let defendant no.2 be served by way of publication in the newspaper '**Veer Arjun**' on filing of PF and depositing the requisite fees for **NDOH**.
4. Ld. Counsel for the defendant no.1 has filed his WS along with an application u/o 7 rule 11 CPC read with order 7 rule 10. Copy supplied. Same is taken on record.
5. Ld. Counsel for defendant no.3 submits that the present suit is not maintainable against him as he was not served a notice u/s 53 B of DDA Act, 1957. Copy of the plaint supplied to defendant no.3 today before this court.
6. Be put up for completion of pleading for **18.01.2024**.

**Shivali Bansal
ADJ-03, Rohini Courts
North District, Delhi
16.11.2023**