

20.07.2026

Present : Mr. Ashok Gupta and Mr. Kapil Kakkar, Ld. Counsel for plaintiff
alongwith plaintiff in person.
Mr. Navit Bansal, Ld. Counsel for defendant no. 2.

WS alongwith reply to application under Order 39 Rule 1 & 2 CPC and an application under Order 7 Rule 11 CPC are already filed on behalf of defendant no. 2.

An application under section 5 of Limitation Act and application under Order 22 Rule 4 CPC, amended memo of parties are filed on behalf of plaintiff.

Replication to the WS of defendant no. 2 and rejoinder to the reply to the application under Order 39 Rule 1 & 2 CPC and reply to the application under Order 7 Rule 11 CPC are filed on behalf of plaintiff.

As per report, defendant no. 3 has refused the summons.

Defendant no. 2 draws attention that in memo of parties, address of defendant no. 3 is same as that of defendant no. 2 citing defendant no. 3 as wife of defendant no. 2. So it was defendant no. 2 who refused to accept the summons sent by speed post. It is also stated that the legal notice sent to all defendants before the filing of the suit was not served at this address but the other address is written on notice. So as abundant caution, plaintiff is directed to get summons served to defendant no. 3 at the address mentioned in legal notice as well, for next date and thereafter, service report to defendant no. 3 shall be considered.

Put up for arguments on maintainability of application under Order 22 Rule 4 CPC on 30.11.2026.

(Aanchal)
District Judge-03, Rohini Courts
North District, 20.07.2026 (jy)