

22 M A C T 284/23  
AKBAR ALI AND ORS. Vs. SAHIR AND ORS.

09.06.2023

Present: Amir Mohd., Ld. Counsel for the petitioners.  
Sh. Shahnawaz Akhtar, Ld. Counsel for R1 alongwith  
R1.  
None for R2 and R3.

Fresh vakalatnama has been filed on behalf of R1.  
Same is taken on record.

R1 submits that he is aware whether the offending  
vehicle bearing no. DL3CBR9668 was insured or not at the time of  
accident.

Notice issued to R2 remained unserved and received  
back with the report that no such person is residing on the said  
address. R1 has produced the RC of the said offending vehicle in  
which the mentioned details are similar to the details mentioned in  
the memo of parties. It means that R2 is deliberately avoiding the  
service. Therefore, it is assumed that R2 has been served U/O V  
Rule 9 (5) CPC. Hence, R2 is proceeded ex-parte.

Ld. Counsel for R1 requests for short adjournment to  
file reply. The same be filed within four weeks. Advance copy be  
supplied to opposite parties.

Put up on 31.07.2023.

**(Gagandeep Jindal)**  
**ADJ-1+ MACT, N/W, Rohini Courts,**  
**09.06.2023**