

CS No. 349/18

07.09.2020

(Matter is taken up through VC)

Present : Sh. Aakash Naval, Id. counsel for plaintiffs (through VC).
Sh. Aditya Shandilya, Id. counsel for D7 (through VC).
None for D6 & D8.
D1 to D5 & D9 yet to be served.

This is the first date after lock down when this matter has been taken up through VC in compliance of office orders bearing nos. 26/DHC/2020 dated 30.07.2020; 322/RG/DHC/2020 dated 15.08.2020 of Hon'ble High Court; office order nos 3755-3776/Judl./SHD/2020 dated 31.07.2020; 3894-3914/Judl./SHD/2020 dated 16.08.2020 of Ld. District & Sessions Judge, Shahdara and 4078-4097/Judl./SHD/2020 dated 29.08.2020 of Ld. District & Sessions Judge, Shahdara.

Perusal of record reveals that D1 to D5 and D9 are yet to be served in this matter. It was directed that summons be served upon the defendants on the LDOH, however, Id. counsel for plaintiffs submits that service could not be effected due to the lock down. It has been pointed out by Id. counsel for plaintiffs that an application under Order 5 Rule 25 CPC is pending on record. By way of said application, permission has been sought to effect service upon the defendant electronically. In view of the submissions made and also for the reasons mentioned in the application, the same stands disposed of as allowed. Accordingly, issue summons of the suit and notice of the application to the defendants who are yet to be served by way of email/whatsapp/fax. PF to be furnished electronically.

Plaintiff/Id. counsel for plaintiff is directed to file an affidavit on the email ID of the court i.e. readeradj01shahdara@gmail.com stating the mobile number/email ID of defendants. It is further directed that plaintiff/Id. counsel for plaintiff shall also file an affidavit of proof of service along with certificate under Section 65-B of Indian Evidence Act on the email ID of the court on or before NDOH.

Ld. counsel for D7 has sought some time to file formal
reply in this matter. D7 is at liberty to proceed as per law.

Put up this matter on 29.01.2021.

(Vineet Kumar)
Additional District Judge-01
SHD/KKD/Delhi/07.09.2020