

Ex No. 737/18

Sanjeev Kumar Jain and anrs. vs. Rohit Jain

16.08.2019

Present: Sh. Vineet Sharma, counsel for DH.

Notice received back unserved on 30.04.2019.

Same has been refused by a lady.

Perusal of the record reveals that notice has been issued on more than one occasion. However, the same has not been served on one pretext or the other. A decree of specific performance as well as possession of suit property has been passed in favour of DH.

Ld. counsel for DH submits that it was an ex-parte decree which was passed in favour of DH as JD did not appear at the time of trial. As no other mode is left for effecting service upon the JD in this matter, it would be only appropriate to effect the service of notice upon the JD by way of affixation on the suit property itself. In view of the above, notice be served upon JD by way of affixation on filing of PF returnable on 04.10.2019.

(Vineet Kumar)
Additional District Judge-01
Karkardooma, Delhi/16.08.2019