

ANIL MEHRA Vs. LT. SH VIJAY MEHRA (THROUGH LR'S)

04.08.2025

Present: Sh. Himanshu ld. proxy counsel for petitioner.  
Sh. Sahil Sharma, ld. counsel for R-2A to 2C, 4A to 4C  
and R-5.

An application u/o 5 rule 20 CPC for service of respondent no. R-2D by way of substitute service has been filed.

It is submitted by ld. proxy counsel for the petitioner that the R-2D is intentionally avoiding to receive the notice of the petition.

As per earlier report of process server, the brother of R-2D refused to receive the notice of the petition by stating that R-2D does not reside at the given address.

Ld. counsel for the respondents submits that R-2D is currently residing at Australia and he has already furnished the address of R-2D by moving application u/s 151 CPC and the said application has been allowed by the court on 16.11.2021.

I have perused the order dated 16.11.2021, vide which the application of ld. counsel for the respondent has been allowed and fresh address of R-2D of Australia has been taken on record.

This court has observed in order dated 21.11.2023 that the process server has reported that the R-2D has been residing in Australia since last three years.

The petitioner has not sent notice of the petition to R-2D at her address of Australia. The above said application of the petitioner is kept pending.

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