

17.10.2023

Present: Sh. Karan Kadian, Id. Proxy counsel for Sh. Bhanu Sanoriya,
Id. Counsel for the plaintiff.
Sh. T.R. Sandhu, Id. Counsel for for L.Rs of D-3 & L.Rs of D-4
except L.R No. 1.
Defendant no. 1 is already ex-parte.

Vide order dated 24.11.2022 it was informed by the plaintiff that
the defendant no. 2 has expired in October and he will take steps for impleading
L.Rs of D-2.

On the last date of hearing last opportunity was given to plaintiff
for service of L.Rs of defendant no.2.

No steps has been taken by the plaintiff for impleading the LR's of
defendant no. 2 and for service of L.Rs no. 1 of defendant no. 4 since 24.11.2022.

At request of Id. Proxy counsel for the plaintiff, put up at 12 :00 Noon.

(SHIV KUMAR)

ADJ-02, West Distt.Tis Hazari Courts

Delhi:17.10.2023(S)

At 12:00 Noon.

Present Sh. Bhanu Sanoriya, Id. Counsel for the plaintiff.

Ld. Counsel for the plaintiff has moved an application under order
5 rule 20 CPC for substituted service of L.Rs no. 1 of defendant no. 4

by way of publication on the ground that plaintiff does not know the fresh address of L.R no. 1 of defendant no. 4.

Ld. Counsel for the plaintiff submits that plaintiff has made his best efforts to trace the fresh address of L.R no. 1 of D-4 but could not trace the same. He further submits that L.R nos. 2 & 3 of D-4 are sisters of L.Rs no. 1 and they also intentionally not providing the fresh address of the L.R. no. 1. He further submits that once L.R no. 1 was served through her brother-in-law for the date of 15.12.2018. He prays to the court to allow the plaintiff to serve L.R no.1 of D-4 by way of substituted service I.e through publication in newspaper.

Heard. Case file perused.

The court is satisfied that there is reason to believe that the L.Rs no.1 of D-4 i.e. Ms Dimple Tyagi is avoiding the service and the summons cannot be served to her by way of ordinary process and in view of the above said fact, application of the plaintiff is allowed and is accordingly disposed off.

Let L.R no. 1 of defendant no. 4 be served through publication in the English newspaper "The Statesman" circulated in the area where she was last resided. Publication charges be directly deposited with the news agency. Steps be taken within 14 days from today.

Ld. Counsel for the plaintiff seeks time to bringing on record the L.Rs of defendant no. 2 Ms Kamlesh.

Put up on 22.01.2024 for further proceedings.

(SHIV KUMAR)

ADJ-02, West Distt.Tis Hazari Courts

Delhi:17.10.2023(S)