

CS Comm. No.175/2025

Sunil Kumar Prop. of M/s Sawariya Trading Co. Vs. Vikas Tuteja Prop. of
M/s Vasudev Bhim

03.11.2025

Present: Sh. Pravesh Kumar, Ld. Counsel for plaintiff.

Application under **Order 22 Rule 4 CPC** filed on behalf of plaintiff. Upon being asked Ld. Counsel for plaintiff accepts that neither he nor his client has tried to obtain death certificate to substantiate the plea that defendant has expired. A simple unsigned endorsement of a returned envelope “deceased” is found to be wholly sufficient to conclude that defendant has expired. Even otherwise the address of the defendant mentioned as “ Vikas Tuteja Proprietor of M/s Vasdev Bhim, Subzi Mandi, Trunk Market, Gurudwara Road, Gurugram, Haryana is found to be incomplete in so far as it neither has a property number nor a street number. Even pin code is not mentioned.

Plaintiff is directed to verify the address and the fact that whether defendant is alive or not duly supported with death certificate, if any, apart from his personal affidavit and pictures of the defendant’s address. Just because the GST record also does not carry any property no. does not mean that plaintiff will not provide complete address to the Court. Plaintiff is granted time for doing the needful.

Put up for further proceedings on 18.11.2025.

Next date of hearing is given as per convenience of plaintiff.

(SURINDER S. RATHI)

District Judge
Commercial Court-11
Central District, THC
Delhi/03.11.2025 (A)