

22.05.2025

Present : Ms. Seema Sharma , Ld. Counsel for the petitioner.
None for the respondent.

Ld. Counsel for the petitioner has filed fresh statement of account.

Be taken on record.

Ld. Counsel for the petitioner submitted that respondent is not appearing before this court deliberately despite service. She submitted that now, the respondent is in default of more than 6 continuous installments and in case the equipment/vehicle in question is not taken into possession by the Receiver, to be appointed by this court, the petitioner would suffer irreparable loss. A request has been made to dispose off the present petition.

Heard and perused the record.

An affidavit of service on defendant alongwith tracking report and certificate u/s 63 of the Bhartiya Sakshya Adhiniyam, 2023 has already been filed by the Ld. Counsel for the petitioner.

From the affidavit filed by the petitioner alongwith the tracking report, it is evident that the respondent has been served. There is nothing on record to disbelieve the deposition made in the

affidavit and the tracking report. The present case was called several times since morning but despite service respondent has chosen not to appear. **In these circumstances, respondent is proceeded exparte.**

Vide my separate order announced in the open court today, the present petition is disposed of whereby Ms. Sonia Ramkishan, representative/employee of the petitioner has been appointed as the receiver to take possession of the equipment/vehicle in question.

File be consigned to record room, as per rules.

(Rajesh Kumar Goel)
District Judge (Commercial Court)-02
Central District, Tis Hazari Courts, Delhi
22.05.2025