

CS SCJ/930/2020
CNR NO. DLWT03-001915-2020
VINTAGE CREDIT AND LEASINGH PVT LTD
Vs.
RAKESH KUMAR

16.03.2023

Present: Ld. Counsel for the plaintiff.

Ld. Counsel for the defendants.

On the last date of hearing, summons for judgment U/o 37 CPC were directed to be issued against defendant no. 1 & 2.

As per record summons have been received unserved upon both the defendants since in the case of defendant no. 2 Himanshu Jonwal, the process server could not trace the address of defendant no. 2 and in case of defendant no. 1 Rakesh Kumar, a female in the neighbourhood told that the defendant has left the given address.

However, counsel for the defendants has objected to the said report of the process server and has submitted that the addresses of the defendants are correct and even in the application filed U/Sec. 8 of the Arbitration and Conciliation Act on behalf of the defendants, the same addresses are mentioned and the defendants are available at the given addresses.

In view of the same, issue fresh summons for judgment U/o 37 CPC upon defendant no. 1 & 2 at the addresses given on filing of PF/RC along with application and documents within seven days from today, returnable by the NDOH.

In case of refusal/non availability of the defendants, concerned process server is directed to affix the summons at the given address of the defendants and file his report before the court on the NDOH.

Counsel for the plaintiff is also at liberty to file reply to the application U/Sec. 8 of the Arbitration and Conciliation Act filed on behalf of defendants by the NDOH.

Now, put up for report on summons/ further proceedings on the NDOH i.e. 04.05.2023.

(Fahad Uddin)
Commercial Civil Judge (W)
THC/Delhi.16.03.2023.