

Joginder Singh Vs. Mohan Singh

Present: Sh. S.S. Sandhu, Adv, for the applicants.
Sh. L.S Bhangu, Adv, for the respondents No. 2 (I) to 2 (iii).
Sh. P.S Nanwa, Adv, for the respondents No. 4.
Sh. R.K. Joshi, Adv, for the respondents No. 6, 8, 11, 12.
Sh. Brij Mohan Bansal, Adv, for the respondents No. 5, 7 and 17.
Respondents No. 9, 13, 29 exparte.
None for respondents No. 3, 18, 20, 21, 22, 23 and 30 to 34
35, 36, 39, 44, 47, 48, 49, 50, 52, 54, 61, 65, 63, 66, 70, 72,
76, 78 82, 85 and 86.
Respondents No. 16, 19, 24, 25, 27, 46, 58 and 80
reportedly died.
Respondents No. 28 and 48 in person.

Sh. Brij Mohan Bansal, Adv, filed power of attorney on behalf of respondents No. 5, 7 and 17.

Summons issued to the respondents No. 46, 58 & 80 received back with the report that the above named respondents have died. Plaintiff is also directed to file application for impleading the LRs of deceased defendants i.e. defendants No. 16, 19, 24, 25, 27, 46, 58 and 80 on 05.12.2018.

Respondents No. 28 and 48 have appeared in person. They are also directed to file the power of attorney on date fixed.

None has appeared on behalf of Respondents No. 18, 20, 21, 22, 23 and 30 to 34 despite repeated calls as all they had appeared in person on last date of hearing. Now, they are proceeded against exparte.

Summons issued to respondents No. 3, 35, 47, 48, 63, 76, 82, 85, 86 through courier received back duly served and notice issued to respondents No. 36, 39, 44, 49, 50, 52, 54, 61, 65, 66, 70, 72, 78 received back with the report refusal. Case called several times since morning, but neither respondents appeared in person nor anybody else appeared on behalf of them. Hence, the respondents No. 3, 35, 36, 39, 44, 47, 48, 49, 50, 52, 54, 61, 65, 63, 66, 70, 72, 76, 78 82, 85 and 86 are proceeded against exparte.

Perusal of the file reveals that on the last date of hearing all the remaining defendants were ordered to be summoned through Publication in newspaper 'Daily Ashiana' but the publication not issued against the remaining defendants as the plaintiff has not deposited the publication charges.

Summons issued to defendants No. 2 (v), 40, 41, 43, 51, 53, 64, 67, 68, 69, 71, 74, 79, 81, 83, 84 and 111 received back unexecuted with the report incomplete address and summons issued to defendant No. 77 received back unexecuted with the report left. Perusal of the receipt in respect of above named defendants show that a period of 30 days has already been elapsed and presumption of service raised but defendants intentionally did not appear. As such, defendants No. 2 (v), 40, 41, 43, 51, 53, 64, 67, 68, 69, 71, 74, 77, 79, 81, 83, 84 and 111 be summoned through publication in the newspaper 'Daily Ashiana' for 05.12.2018. Publication charges be furnished within three days.

Summons issued to remaining defendants No. 1, 2(iv), 10, 14, 15, 26, 30 to 34, 37, 38, 42, 45, 55, 56, 57, 59, 60, 62, 73, 75, 85, 87 to 110 through courier not received back either executed or unexecuted. Now, they be also summoned through Publication in the newspaper 'Daily Ashiana' for 05.12.2018.

Karandeep Kaur,
CJ(JD)/Rajpura,
UID:PB0393

Date of Order: 08.08.2018

(Sheenu Chhabra Stenographer Gr-III)

Next Date: 05.12.2018

Purpose:_____