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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 307/2015

RAGHUVINDER SINGH

..... Plaintiff

Through: Mr. Sarvesh Berwal, Adv.

versus

SUKHVIR SINGH & ORS

..... Defendant

Through: None for D-1.

D-2 & 9 have expired and their LR's are yet to be impleaded.

D-3 in person through VC

None for D-4 to 9.

Mr. Vishal Kumar & Mr. Pawan Kapoor, Adv's. for D-10 to 15 (Mobile No.9634355785)

Mr. Dheeraj K. Garg & Ms. Monika Jain, Adv's. for applicant in IA No.20/2018

Mr. Sumant Dey, Adv. for applicant in IA No.2461/2022 (Mobile No.9810424476)

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. SHUCHI LALER,
(DHJS)**

ORDER

04.07.2022

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**I.A.No.20/2018 (Application under Order XXII Rule 3 CPC
moved by Ms. Kamal Kumari)**

On the last date of hearing (04/03/2022), notice of captioned IA was directed to be issued for service upon Smt. Suresh. Learned



counsel for the applicant submits that he has already taken steps for service of Smt. Suresh. Tracking report has been shown wherein it is mentioned that the item is booked. Learned counsel for the applicant submits that Smt. Suresh should be deemed to have been served as the Speed Post was sent at the last known address of Smt. Suresh and there is a presumption of her valid service under Section 27 of General Clauses Act.

In the tracking report which has been shown to this court, there is no mention of service being effected upon Smt. Suresh. Be that as it may, in the office noting it is mentioned that LR of late Smt. Chander Mukhi served. Notice has been perused which shows that service was effected upon Smt. Suresh @ Saroj on 20/04/2022. There is no appearance on behalf of Smt. Suresh today.

Re-notify the captioned IA for arguments on next date of hearing.

I.A.No.2461/2022 (Application under Order 1 Rule 10 read with Section 151CPC on behalf of Supreme Infrastructure (India) Pvt. Ltd.. having its registered office at 75-B. Eastern Avenue. Main Sanik Farms. New Delhi -110062, for its impleadment as defendant in the present suit and for further directions)

Learned counsel for the plaintiff submits that he has not received copy of the application so he is unable to file its reply. Let copy of the application be supplied to him within a week from today. Reply be filed within 30 days from the date of receipt of the application.

Defendant no.3 submits that defendant no.1, 3 & 10 to 15 have already filed reply to the captioned IA. The reply is not on record.



Defendant no.3 or his counsel may check with the Registry as to whether the reply is lying under objections if so, he may remove the objections and have the reply placed on record. Learned counsel for applicant submits that he has not received copy of the reply. Same be supplied to him within a week from today.

As per office noting, notice of the captioned IA has not been served upon defendant no.4 to 8. Let notice be issued to the remaining defendants, returnable on next date of hearing.

Re-notify the captioned IA on the next date of hearing.

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Defendant no.3 submits that defendant no.2 expired on 08/02/2021 & defendant no.9 expired somewhere in the year 2008. He submits that he has also provided the details of legal representatives of defendant no.2 to learned counsel for the plaintiff. Learned counsel for the plaintiff submits that he has not been provided the particulars of legal representatives of defendant no.2. Defendant no.3 submits that he will again provide the details of legal representatives of defendant no.2 & 9 to learned counsel for plaintiff within 15 days from today.

The matter is pending for settlement before Delhi High Court Mediation & Conciliation Centre.

Re-notify the matter on **24th August, 2022**

**SHUCHI LALER, (DHJS)
JOINT REGISTRAR (JUDICIAL)**

JULY 4, 2022/nk

[Click here to check corrigendum, if any](#)