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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RFA 48/2022

SH. VISHAL GROVERAppellant
Through: Mr. Rajeev Saini, Adv.

versus

MANJITPALSINGH & ANR.Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA
ORDER
% **26.05.2025**

CM APPL.6706/2025

1. Exemption is allowed, subject to just exceptions.
2. The application stands disposed of.

CM APPL.6705/2025

3. This is an application seeking exemption from effecting service on Respondent No.1 in the present appeal.
4. It is stated by the learned counsel for the Appellant that Respondent No.1 was Defendant No.1 before the learned Trial Court and was served by way of publication in the newspaper during the Trial Court proceedings. The learned Trial Court had proceeded *ex parte* against Respondent no.1 vide Order dated 22.07.2011.
5. The Appellant has submitted that Respondent No.1 cannot be served by the ordinary course and has sought exemption from serving Respondent No.1 in the present appeal. The Appellant has also submitted that



Respondent No.2 has already entered appearance, who is the subsequent purchaser of the property in question. It is for the Appellant to decide either to delete Respondent No.1 or to serve the Respondent No.1 by way of substituted service through publication in accordance with law.

6. In view of above, the relief sought in the present application cannot be granted and the application is dismissed.

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7. None appears for Respondent No.2.

8. Final opportunity is hereby granted to Respondent No.2 to file reply to the appeal, failing which the appeal shall be decided on the basis of the learned Trial Court Record.

9. The Registry is directed to place the Trial Court Record on record in digital form before the next date of hearing.

10. List on 07.08.2025, the date already fixed.

TEJAS KARIA, J

MAY 26, 2025/ab

Click here to check corrigendum, if any