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

+ CS(OS) 653/2019 and IA No. 17791/2019 (application filed by the plaintiff u/O XXXIX Rules 1 and 2 and u/O XXXVII Rule 7 CPC for interim relief)

MR. SUNIL SACHDEVA Plaintiff

Through: Ms. Shriya Chander, Advocate
appeared physically

versus

MR. ASHOK MAHINDRU & ORS. Defendants

Through: None

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. TYAGITA SINGH,
(DHJS)**

ORDER
02.08.2022

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Matter is taken up through physical hearing as well as video conferencing.

As per file noting, defendant nos. 1 to 3 remained unserved by way of ordinary mode with the report 'left'. Service report of Speed Post to defendant nos. 1 to 3 is awaited. Defendant nos. 4 to 9 remained unserved by way of Speed Post with the report 'left'. However, defendant nos. 4 to 9 have been served by way of e-mail on 06.07.2022.

Learned counsel for the plaintiff has stated that she has e-filed affidavit of service. Today, she has filed original affidavit of service which is taken on record today in court, according to which, defendant nos. 1 to 3 have been served by way of Speed Post and courier at their given address.



They have also been served by way of e-mail. However, defendant nos. 4 to 9 remained unserved by way of Speed Post and it is clear after perusal of the detailed delivery report that item was returned with remarks 'insufficient address' and also with remarks 'not delivered as addressee left without instructions' on 09.07.2022 and all the Speed Posts have been returned back to Lajpat Nagar. However, learned counsel for the plaintiff has stated that as per the affidavit of service, defendant nos. 4 to 9 have been served by way of e-mail. She has further stated that defendant nos. 4 to 9 are the companies of defendant no.1 who has been duly served by way of Speed Post, Courier as well as e-mail.

Keeping in view the abovestated facts and circumstances, defendant nos. 1 to 3 are deemed to be served by all modes and defendant nos. 4 to 9 are deemed to be served by way of e-mail at the e-mail addresses mentioned in the Memo of Parties.

None has appeared on behalf of defendants despite service.

Learned counsel for the plaintiff has stated that this is a summary suit under Order XXXVII CPC and despite expiry of statutory period of 10 days from the date of service, none of defendants have put up their appearance till date.

At request of learned counsel for the plaintiff, matter be placed before the Hon'ble Court on 25th August, 2022, for further directions.

TYAGITA SINGH, (DHJS)
JOINT REGISTRAR (JUDICIAL)

AUGUST 2, 2022/savita
CS(OS) 653/2019