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

+ **CS(OS) 19/2025 & I.A. 5175/2026**

SUNIL THUKRAL

.....Plaintiff

Through: None.
versus

VINOD THUKRAL & ORS.

.....Defendants

Through: Advocate (appearance not given)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **25.02.2026**

I.A. 5175/2026

1. The present application has been filed under Section 151 read with Order IX Rule 2 of the Code of Civil Procedure, 1908 ("CPC") on behalf of the defendant no. 1 seeking directions against the plaintiff for deliberately delaying the matter.

2. It is submitted that despite passage of a significant period of time since the registration of the suit, defendant no. 3, Mrs. Uma Madan, who is the real sister of the plaintiff, has not been served. Thus, as per the applicant, the failure to do so is solely attributable to the plaintiff, who has submitted an incorrect address of defendant no. 3 in the plaint.

3. It is submitted that in order to facilitate disposal of the case and to ensure that all necessary parties are brought on record, defendant no. 1, through an E-mail dated 28th July, 2025, had provided the correct current address of defendant no. 3, i.e., *LIG Flat No. DB-43D, Hari Nagar, Delhi-110064*, along with her E-mail ID, i.e., umamadanl@gmail.com.



4. It is submitted that despite receipt of aforesaid details, till date, no effective steps have been taken for service upon defendant no. 3. Thus, the present application has been filed seeking prayer for dismissal of the present suit filed by the plaintiff, on account of deliberate and repeated non-seriousness shown by the plaintiff.
5. Issue notice to the plaintiff, by all modes.
6. Considering the submissions made in the present application, issue Court Notice to the defendant no. 3, on the address and E-mail as aforesaid, through all modes.
7. List before the Joint Registrar (Judicial) on the date already fixed, i.e., 25th March, 2026.

MINI PUSHKARNA, J

FEBRUARY 25, 2026/au