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

+ **CS(OS) 295/2018**

RAKESH KUMAR & ANR

..... Plaintiff

Through: Mr. Bharat Gupta, Adv. M. 9810444651.
Mr. Vishesh chauhan, Adv. (Through VC)

versus

BANK OF MAHARASHTRA

..... Defendant

Through: Mr. VK Gupta and Ms. Kaushiki Kashyap
Advs. for R-1 (Through VC)
Mr. Vardaan Bajaj and Ojasvi Sharma,
Advs. for D-3 (Through VC)

CORAM:

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

ORDER

% **16.05.2024**

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

The present case has been transferred from the Court of Ld. Joint Registrar (Judicial) Ms. Priya Mahindra vide Order dated 19.03.2024 issued by Ld. Registrar (Original & JJ Sectt.)

Previous cost has been paid by defendant no.1 to plaintiff.

As per file noting, the summons to defendant no.2 at the fresh address remained unserved by way of ordinary mode with report "he was a tenant and left the address 8-9 months back". No one came to collect the notice by way of speed post and courier.

Perusal of file noting further reveals that Amended Memo of parties has been filed on record by plaintiff. Affidavit of admission/denial has been filed on record by defendant no.1 to the documents of plaintiff. Copy supplied.

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At request, fresh summons be issued to defendant no.2 at the given address on filing of PF within 2 weeks, by all permissible modes including electronic mode. Dasti summons be given to plaintiff for service of defendant no.2 by way of speed post/registered courier/affixation etc. Affidavit of service be filed atleast one week before next date of hearing.

Be fixed for report of service / further hearing on 03.09.2024.

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

MAY 16, 2024/sm