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IN THE HIGH COURT OF DELHI AT NEW DELHI

CS(OS) 2145/2010

RISHABH INTERIORS PVT LTDPlaintiff

Through: Ms. Kirti Mewar, Adv.

versus

M/S REI AGRO LTDDefendant

Through: None.

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% 03.02.2025

**IA No. 17327/2023 on behalf of plaintiff to summon
witness along with documents r/w section 151 CPC;
and**

**IA No.17328/2023 on behalf of plaintiff u/s 65 of The
Indian Evidence Act r/w section 151 CPC seeking
permission to lead secondary evidence**

The right of defendant no.1 to file replies has already been ordered to be closed.

The defendant no.3 has neither deposited the cost of Rs.2000/- with Delhi High Court Legal Services Committee nor filed any reply to the captioned IA. Even, none is present on behalf of the defendant no.3 today to explain in this regard. So, the right of defendant no.3 to file reply is ordered to be closed.

As per office note, notice issued to defendant no.2 through Ordinary process received back un-served with report that there is no such company, whereas service report qua notice issued to defendant no.2 through Speed Post process has been received back with the returned envelop with remark Refusal on the ground that company has been closed.

The plaintiff has filed Affidavit of Service alongwith tracking reports and proof of cost. The same also reflects



that delivery was refused. Learned counsel for the plaintiff submits that it is a deemed service. However, refusal on the ground that addressee is no longer residing at the said address, is not a ground for deemed service. So, learned counsel for the plaintiff is directed to take appropriate steps as per law qua service of defendant no.2.

At this stage, learned counsel for the plaintiff submits that she will file fresh address of defendant no.2. Upon filing of fresh address of defendant no.2 by the plaintiff, fresh notice of the captioned IA be issued to the defendant no.2 by all permissible modes and on taking steps by the plaintiff, returnable for 08.04.2025.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
FEBRUARY 3, 2025/ab
Click here to check corrigendum, if any