

**Before : Sachin B. Bhansali,
Prothonotary & Senior Master
Date : 19th December, 2023**

FOR DIRECTION :

19 S/44/2023

) Mr. Raj Kothari a/w. Bhumika Chulani and
) Mohd. Shariq, Advocate for the plaintiff.
)

) P.C. : Matter is listed on board in view of Praecipe
) dated 11.12.2023 submitted by the plaintiff.
)

) Perused Affidavit of Service dated 02.03.2023,
) filed on 15.03.2023. It is seen that on
) 08.03.2023, Writ of Summons alongwith copy
) of plaint has duly been served upon defendant
) no. 1, and when postal article, containing Writ
) of Summons and copy of plaint was attempted
) to be served upon defendant no. 2 Diksha
) Verma vide intimation dated 10.02.2023 and
) 11.02.2023, same was unclaimed and
) therefore, Postal Authority vide remark
) “Unclaimed”, sent said article to the office of
) Sheriff. It is annexed at Exhibit 'B1' to the
) Affidavit of Service dated 02.03.2023.
)

) In view of Order dated 07.12.2022 passed by
) this Hon'ble Court in Suit No. 168/2022
) (Forest Realty Vs. Taksha Spaces Pvt. Ltd. &
) Ors.), “Unclaimed” is a good service. In view
) thereof, I am satisfied that defendant no. 2 has
) duly been served with Writ of Summons in the
) present suit.
)

) As Writ of Summons was served upon both the
) defendants in the month of February 2023,
) both the defendants were supposed to file their
) written statement within 90 days from the date
) of service of Writ of Summons as per Order
) VIII Rule 1 of C.P.C.. However, neither these
) defendants appeared nor filed written
) statement within stipulated period of time.

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contd....	)	Hence, suit against defendants is transferred to
S/44/2023	)	the list of Undefended Suits.
	)	
	)	Remove from board.
	)	

Date : 19.12.2023

Prothonotary and Senior Master