

Surinder Singh Khara vs. Suman Dawar and Ors.

CMPMO No. 143 of 2024.

22.03.2025 Present: Mr. Rahul Mahajan, Advocate, for the petitioner.

Mr. Anuj Gupta, Advocate, for respondents No.1 and 2.

CMP No. 4574 of 2024.

Petitioner is seeking to serve respondent No.3 through publication in the newspaper on the ground that despite repeated efforts, the petitioner has not been able to serve respondent No.3, who is resident of Delhi. It is the case of the petitioner that in the original memorandum of parties same address of respondent No.3 was mentioned as was there in the memorandum of parties in the original suit before the learned trial Court. Thereafter, an alternative address was also submitted but the respondent could not be served on either of them. As per the petitioner, it is apprehended that the respondent may be intentionally evading the service.

From the averments made in the application as also the perusal of the record, I am satisfied that the petitioner has made sufficient efforts to serve respondent No.3 but he has not been served by way of ordinary process, therefore, the application is allowed and respondent No.3 is ordered

to be served through publication of notice in newspaper "The Tribune" Delhi edition, returnable on 06.06.2025. Publication charges be deposited by the petitioner within a week. Application stands disposed of.

(Satyen Vaidya)
Judge

22nd March, 2025.
(Jai)