

Parwinder Singh vs. Jagwinder Singh & Ors. MACT 01-2018

Present:- Sh. Mandeep Singh Bains, Advocate for claimant.

Sh. S.S Saini, Advocate, counsel for respondent no.1.

Sh. N.K Prashar, Advocate, counsel for respondent no.3.

Sh. S.S Saini, Advocate has filed power of attorney on behalf of respondent no.1. Sh. N.K Prashar, Advocate has filed memo of appearance on behalf of respondent no.3.

Service of respondent no.2 has not been effected as yet. Notice was issued for service of respondent no.2, but it has been received back unserved with the report of process server that the respondent no.2 does not reside at the given address. This fact of report has been controverted by the counsel for claimant by stating that the said report is factually wrong. Infact respondent no.2 is residing at the given address and she is playing hide and seek to avoid service intentionally and deliberately. The claimant has also filed an application making prayer for substituted mode of service of respondent no.2 as this is the last known address of respondent no.2. Under these circumstances, this court has reasons to believe that the service of respondent no.2 cannot be effected by usual mode of service, unless she is summoned by way of substituted mode of service. Therefore, respondent no.2 is ordered to be summoned through munadi alongwith affixation. Claimant is directed to deposit munadi fee within 15 days from today positively. Subject to compliance on behalf of claimant, process of munadi alongwith affixation for service of respondent no.2 be issued and report on the service of respondent no.2 be submitted in this court on or before 30.04.2018.

(Ranjeev Kumar Vishisht)
AD&SJ/FGS (UID PB 0179)

Date of Order 21.03.2018

Rakesh Kumar Stg-II

Next Date 30.04.2018

Purpose: munadi