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

+ CS(OS) 2684/2015

PRATEEK GUPTA

..... Plaintiff

Through: Amita Gupta, Advocate

versus

SHILPI GUPTA

..... Defendant

Through:

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

22.03.2016

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O.A. No.74/2016

This chamber appeal is directed against the order dated 18.02.2016 passed by the learned joint registrar. The submission and grievance of the plaintiff is that the joint registrar has wrongly recorded, as a matter of fact, that the plaintiff has not taken steps for service of the defendant.

Learned counsel points out that three times steps have been taken to serve the defendant, who is residing in USA. Counsel for the plaintiff had also filed an affidavit of service dated 11.02.2016 along with the tracking report which shows that the defendant was served in USA on 04.01.2016. However, the said report has not been considered by the joint registrar.

Learned counsel states that the date for appearance before the District Court is given as 20.07.2016, which is not convenient considering that the plaintiff is seeking interim orders.

In view of the aforesaid, the date fixed before the District & Sessions Judge (West), Tis Hazari Courts is preponed to 03.05.2016. The concerned court shall take into consideration the affidavit of service while examining whether the defendant has been served or not, and shall also consider the plaintiffs prayer for interim orders.

The registry shall send the record to the concerned District Judge.

VIPIN SANGHI, J

MARCH 22, 2016

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