

Before : Sachin B. Bhansali,
Prothonotary & Senior Master
Date : 09th August, 2024

FOR DIRECTION :

7	S/169/2024	)	Ms. Shriya Raychaudhari a/w. Pranali Vyas
	with	)	i/b. Khaitan and Company, Advocate for the
	connected matter	)	plaintiff.
		)	
		)	Ms. Mrudula Dixit a/w. Mr. Akash Manwani
		)	and Ms. Aakruti Jayendran I/b. AZB and
		)	Partners, Advocate for defendant nos. 1 and 3.
		)	
		)	P.C.: Perused Affidavit of Service dated 30.07.2024,
		)	filed on 31.07.2024 and remarks given by the
		)	Master (Adm.), Suit Board Department. It
		)	shows service of Writ of Summons upon
		)	defendant no. 3 through R.P.A.D on
		)	03.06.2024; whereas, articles, containing Writ
		)	of Summons addressed to defendant nos. 1, 2
		)	and 4 have been unclaimed by the respective
		)	defendants, as aforesaid, on 10.06.2024.
		)	
		)	In view of Order dated 07.12.2022 passed by
		)	the 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 nos. 1, 2
		)	and 4 have duly been served with Writ of
		)	Summons in the present suit.
		)	
		)	Ld. Advocates appearing for defendant nos. 1
		)	and 3 made a statement that defendant no. 1
		)	resides abroad and service of Writ of Summons
		)	is not effected upon him, however, they waive
		)	service of Writ of Summons upon defendant
		)	no. 1. Statement is accepted.
		)	
		)	Ld. Advocate for defendant nos. 1 and 3
		)	submits that she has not received true copy of
		)	plaint for and on behalf of defendant no. 1, to
		)	which ld. Advocate for the plaintiff undertakes
		)	to serve true copy of plaint upon ld. Advocate
		)	for defendant no. 1 within a week.
		)	Undertaking is accepted.

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contd....	)	Once defendant no. 1 receives copy of plaint,
S/169/2024	)	defendant no. 1 to file written statement
with	)	within stipulated time as provided under
connected matter	)	Order VIII Rule 1 of C.P.C., failing suit against
	)	defendant no. 1 will be transferred to the list
	)	of Undefended Suits.
	)	
	)	Defendant nos. 2 to 4 file written statement
	)	within stipulated period as provided under
	)	Order VIII Rule 1 of C.P.C., failing suit against
	)	these defendants will be transferred to the list
	)	of Undefended Suits.
	)	
	)	Stand over to 27.09.2024.
	)	

Date : 09.08.2024

Prothonotary and Senior Master