

2026:PHHC:080652



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

129

CR-2359-2026

Date of decision :21.05.2026

AJEET SINGH AND ANOTHER

... PETITIONERS

VERSUS

RAMESH KUMAR AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. A.K. Ranolia, Advocate
for the petitioners.

PARMOD GOYAL, J. (ORAL)

1. The present revision petition has been preferred by the petitioners under Article 227 of the Constitution of India for setting aside of the impugned order dated 07.11.2024 (Annexure P-1) passed by Civil Judge (Junior Division), Pataudi, whereby the application filed by the petitioners under Order V Rule 20 read with Section 151 of the Code of Civil Procedure, 1908 for summoning of defendants by way of substituted service was dismissed.

2. It is submitted that the petitioners-plaintiffs has repeatedly been filing applications under Order I Rule 10 CPC for serving respondents/ defendants by way of substituted service and, while doing so, had duly asserted that the addresses mentioned in the memo of parties are the last known addresses of the respondents-defendants.

3. The learned Court below has categorically recorded a finding that the correct and complete addresses of the respondents-defendants were not being furnished by the petitioners-plaintiffs. It was further observed that mere bald

assertions that the addresses mentioned in the memo of parties are the last known addresses, without disclosing or making efforts to ascertain the correct addresses, would not entitle the petitioners-plaintiffs to seek substituted service under Order V Rule 20 CPC. Accordingly, the application seeking substituted service was dismissed.

4. On consideration, at first glance, it appeared to be a case where the petitioners-plaintiffs had failed to serve the respondents-defendants, as they were allegedly keeping themselves out of the way and deliberately avoiding service in order to delay the proceedings of the suit. However, upon closer scrutiny of the facts and circumstances of the present case, this Court finds otherwise. Rather, it appears that the petitioners-plaintiffs are seeking to resort to substituted service only with a view to denying respondents-defendants an effective opportunity of service of notice as to contest the suit on merits.

5. The aforesaid conclusion is being recorded in view of the fact that there are as many as 164 defendants, and all the respondents-defendants have been described merely as residents of Ward No. 11, Chand Nagar Road, Farrukh Nagar, District Gurugram, Haryana, without disclosing any specific house numbers or complete particulars of their residences. There is no material on record to substantiate the claim of the petitioners-plaintiffs that all the respondents-defendants are residing at the addresses so furnished.

6. It is indeed surprising that, out of 164 respondents-defendants, only 7 respondents-defendants have been served at the addresses furnished by the petitioners-plaintiffs since the year 2023. This circumstance itself prima facie indicates that the addresses supplied by the petitioners-plaintiffs are either incomplete or incorrect and, on the basis of such deficient particulars, the

petitioners-plaintiffs are insisting upon effecting service through substituted mode by way of publication.

7. Unless the correct and complete addresses of the respondents-defendants are furnished, the satisfaction required to be recorded by the Court under Order V Rule 20 CPC for permitting substituted service cannot be arrived at. Consequently, this Court does not find any merit in the present revision petition. The approach adopted by the learned Court of first instance in insisting upon disclosure of the correct addresses of the respondents-defendants cannot be faulted with.

8. It is the bounden duty of the plaintiff to furnish complete and correct particulars of the respondents-defendants, particularly in view of the fact that the dispute pertains to valuable land situated at Farrukh Nagar, District Gurugram, which is stated to be jointly owned by a large number of persons. In such matters, substituted service cannot be permitted in a routine or mechanical manner merely on the asking of the petitioners-plaintiffs, especially when the possibility of prejudice to the rights of numerous respondents-defendants cannot be ruled out.

9. Accordingly, finding no illegality, perversity, or jurisdictional error in the impugned order dated 07.11.2024 passed by the learned Court below, the present revision petition stands dismissed.

10. Pending miscellaneous application(s), if any, also stand(s) disposed of accordingly.

21.05.2026
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No