



CR No. 3244 of 2026 (O&M) -1-

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

**CR No. 3244 of 2026 (O&M)
DATE OF DECISION: 27.04.2026**

DR. R.K.JAIN

.....PETITIONER

Vs.

**KISHAN BAHADUR SUNAR @ KRISHNA BAHADUR SUNAR
AND ANOTHER**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: The petitioner is present in person
(through video conferencing).

AMARINDER SINGH GREWAL, J.

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 27.01.2026 (Annexure P-1), passed by the learned Additional Civil Judge (Senior Division), Jind, whereby the application filed by the petitioner under Order V Rules 17, 20 and 25 and Order VI Rule 14-A read with Section 151 of the Code of Civil Procedure, 1908 (for short, '*the CPC*'), seeking directions for service upon the Judgment Debtor through affixation at the last known address, as well as through '*WhatsApp*', has been dismissed.

2. Brief facts of the case are that the petitioner, Dr. R.K. Jain, had filed a suit for recovery of ₹3,52,230/- along with interest against the respondents, namely, Kishan Bahadur Sunar @ Krishna Bahadur Sunar and Smt. Kamla Sunar. Notice of the said suit was issued to the respondents,



who failed to appear before the learned trial Court and, consequently, were proceeded against *ex parte*. The petitioner-plaintiff led his evidence, and ultimately, the suit filed by the petitioner-plaintiff was decreed in his favour vide *ex parte* judgment and decree dated 20.12.2017. Thereafter, the petitioner filed an Execution Petition, wherein an application under Order V Rules 17, 20 and 25 and Order VI Rule 14-A read with Section 151 of the CPC, seeking directions for service upon the Judgment Debtor through affixation at the last known address, as well as through 'WhatsApp', was moved.

2.1 The learned Additional Civil Judge (Senior Division), Jind, held that since an application had been moved in the year 2024 and, in earlier litigation (Annexure P-2), the applicant had procured service upon the Judgment Debtor, it was possible for the applicant to procure service in the present case as well. It was further observed that service effected in another case cannot be deemed to be service in the present proceedings, and that, at this stage, service by affixation or through 'WhatsApp' would not constitute proper service.

3. The petitioner submits that the order dated 27.01.2026 (Annexure P-1) passed by the learned Executing Court is illegal, null and void, inasmuch as the Punjab and Haryana High Court Rules and Orders provide for such modes of service; therefore, the impugned order is liable to be set aside.

4. Since the present petition pertains to service upon the respondents through affixation as well as through 'WhatsApp', this Court is of the considered view that issuance of notice in the present petition is



dispensed with.

5. I have heard the petitioner and have gone through the paper-book carefully.

6. Volume IV, Chapter VII, Part B of the Punjab and Haryana High Court Rules and Orders provides for service of process by various modes. The relevant provisions read as under:-

“1. Service by suffixation not to be made before the date fixed for scrutiny of service.-(1)

XXXX XXXX XXXX XXXX

(iii) e-service The Service of Process to the other party can also be effected through electronic means where the party has furnished the requisite details.

2. Substituted service:- Order V, Rule 20 (1), of the Code of Civil Procedure, provides that when the Court is satisfied that the defendant is keeping out of the way for the purpose of avoiding service, or that, for any other sufficient reason the summons cannot be served in the ordinary way, service may be effected by affixing a copy of the summons in some conspicuous place in the Court house, and also in some conspicuous place of the house, if any, in which the defendant is known to have last resided, or carried on business, or personally worked for gain, or in such other manner as the Court thinks fit.”

XXXX XXXX XXXX XXXX

7. Thus, since service upon the Judgment Debtor can be effected through affixation as well as through electronic modes, this Court is of the considered view that the learned Executing Court committed a grave error while dismissing the application filed by the petitioner under Order V



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Rules 17, 20 and 25 and Order VI Rule 14-A read with Section 151 of the CPC, seeking directions for service upon the Judgment Debtor through affixation at the last known address as well as through ‘WhatsApp’, vide impugned order dated 27.01.2026 (Annexure P-1).

8. Consequently, the present petition is allowed. The order dated 27.01.2026 (Annexure P-1), passed by the learned Executing Court, is set aside. The petitioner is granted liberty to effect service upon the Judgment Debtor in terms of Rule 1(iii) and Rule 2 of the Volume IV, Chapter VII, Part B of the Punjab and Haryana High Court Rules and Orders, as noticed above.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

APRIL 27, 2026	(AMARINDER SINGH GREWAL)
nitin	JUDGE
Whether Speaking	Yes
Whether Reportable	No