



5 through regular mode is not possible, have directed the Appellant to serve the Respondent No. 5 through substituted service i.e., by publication of service in newspapers.

**5.** An affidavit of service in compliance of the aforesaid order has now been filed by the Appellant stating specifically that the notice to the Respondent No. 5 has been published in two newspapers, namely, Financial Express and Lok Sata on 20.02.2026. Alongwith the affidavit the copy of the aforesaid two newspapers have also been enclosed.

**6.** Having regard to the fact that in compliance of our earlier order, the notice to Respondent No. 5 has been successfully published in the aforesaid two newspapers, we deem the service of this appeal on the Respondent No. 5 as sufficient.

**7.** As despite giving calls for many time, no one has appeared on behalf of Respondent No. 5, we also set the proceedings of this appeal against Respondent No. 5 as *ex-parte*.

**8.** Though, no request has been made by Learned Counsel for Respondent No. 1 & 2 to file a reply. We provide last opportunity to them to file reply, if they so wish within ten days from today with an advance copy to the Learned Counsel for the Appellant, who in turn, if so wish, may file rejoinder to the same within seven days, thereafter.

**9.** As we hope and trust that the pleadings till the next date of listing would be completed, list this appeal on **29.05.2026** under the caption '**For Hearing**'.

**[Justice Mohammad Faiz Alam Khan]**  
**Member (Judicial)**

**[Mr. Naresh Salecha]**  
**Member (Technical)**

*Sim/mr*