

Memo of Parties

Introduction

Every pleading filed by plaintiff/appellant/Complainant is filed with Memo of Party. Every such pleading, when filed by a party, shall be accompanied by a statement in the prescribed form ("**Memo of Parties**"), containing the address of the party. The address furnished in the statement made shall be called the "registered address" of the party. Such address may from time to time, be changed by lodging in court a form duly filled up and stating the new address of the party and accompanied by a verified petition.

Service at the Registered Address

Until duly changed, as aforesaid, the registered address be deemed to be the address of the party for the purpose of service of all processes in the suit or in any appeal from any decree or order therein made and for the purpose of execution, and shall hold good, subject as aforesaid, for a period of two years after the final determination of the cause or matter. Service of any process may be affected upon a party at his registered address in all respects as though such party resided there at.

Consequences of filing Incomplete Address

Where the registered address of a party is discovered by the court to be incomplete, false or fictitious, the court may, either on its own motion, or on the application of any party, order-

- (a) In case where such registered address was furnished by a plaintiff, stay of the suit, or
- (b) In case where such registered address was furnished by a defendant, his defence be struck out and he be placed in the same position, as if he had not put up any defence.

The court, if satisfied, that the party whether plaintiff or defendant was prevented by any sufficient cause from filing the true address at the proper time, shall set aside the order of stay or order striking out the defence, on such terms as to costs or otherwise as it thinks fit and shall appoint a day or proceeding with the suit or defence, as the case may be.

Power of Court for Service at Alternative Address

The court has power from directing the service of a process at any other address, if for any reason, it thinks fit to do so.

Sections to Remember

Order VI, Rule 14A of the Code of Civil Procedure, 1908	Address for Service of Notice
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