

ITEM NO.2

COURT NO.10

SECTION IV

S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS
 IA No.4 IN CIVIL APPEAL NO. 2538 OF 2010

PUNJAB STATE ELECTY. BOARD

Appellant (s)

VERSUS

M/S.VISHWA CALBIER BUILDERS PVT.LTD.

Respondent(s)

(For appeal against Registrar's order)

Date: 29/07/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
 HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s) Mr. Jagjit Singh Chhabra, Adv.

For Respondent(s) Mr. Govind Goel, Adv.
 Mr. Mohan Lal Sharma, Adv.
 Mr. Sanjay Kumar Yadav, Adv.

UPON hearing counsel the Court made the following
 O R D E R

By this order we are disposing I.A.No.4 of 2011 filed by the respondent for re-hearing of Civil Appeal No.2538 of 2010 and I.A.No...../2010 filed by the respondent against the order of lodgment passed by the Registrar.

We have heard Shri Govind Goel, learned counsel appearing for the applicant-respondent and Shri Jagjit Singh Chhabra, learned counsel appearing for the appellant and perused the record.

A perusal of the receipt made available by the courier agency through which the notice is said to have been sent to the applicant-respondent shows that in the box meant for the signature of the consignee, neither the name of the consignee nor the date on

2

which the document was delivered to the consignee nor the signatures have been taken. Some illegible mini signature appears in that box and from that it is impossible to draw a conclusion that the addressee was duly served with the notice.

In view of the above, the application made by the respondent for re-hearing of the appeal is allowed. The appeal be listed for hearing on 17.08.2011.

As a sequel to the above, the application filed by the appellant against the lodgment of petition by the Registrar is disposed of as infructuous.

(Satisb K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master