

ÈITEM NO.4

COURT NO. R-2 SECTION XVIA  
S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

TRANSFER PETITION (CIVIL.) NO(s). 64 OF 2006

RAKHEE SUR Petitioner(s)

VERSUS

JAYBRATA SUR Respondent(s)  
(With appln(s) for stay and office report )

Date: 26/09/2006 This Petition was called on for hearing today.

For Petitioner(s)  
Mr. Ajay Choudhary, Adv.

For Respondent(s)

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

Hon'ble Court has by an Order dated 10.2.2006 directed to issue notice to the respondent and stayed the further proceedings in matrimonial suit pending before the District Judge, Barasat, 24 Pargana (North), West Bengal. Thereafter, delay in payment of process fee was condoned by the Hon'ble Chamber Judge and notice was issued on 7.6.2006 and was dispatched on 12.6.2006, but the same could not be served. Neither A.D. Card nor unserved registered cover containing the notice has been received back from the sole respondent so far. Therefore, on 14.9.2006 this Court has directed the petitioner to take steps for fresh notice. Petitioner has failed to take such steps till date. The stay order was communicated to the Court of District Judge, Barasat, 24 Pargana (North), West Bengal by a letter dated 4.5.2006 by the Assistant Registrar of this Court. Respondent must have a knowledge of pendency of this transfer petition before this Court. However, petitioner is not taking steps for service to

the respondent. In view of the above details, the matter can be dismissed under Order X Rule 2 or Rule 3 of the Code of Civil Procedure. List the matter before the Hon'ble Judge in Chamber.

(S.G.SHAH)

Registrar