

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 B.SUDHEENDRA KUMAR

Petition(s) for Special Leave to Appeal (Civil) No(s).5320-5321/2005

NAND KUMAR TIWARI

Petitioner(s)

VERSUS

ZILA S.K.AUR GRAMIN VIK.BANK MARYAD.&ORS

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report)

Date: 22/09/2006 These Petitions were called on for hearing today.

For Petitioner(s)

Mr A.P. Dhamija, Adv.

Ms. Pratibha Jain,Adv.

For Respondent(s)

R-1 Mr. Prakash Shrivastava,Adv.

R-1 Mr Miten Mahapatra, Adv.

UPON hearing counsel the Court made the following

O R D E R

The records would show that notice to respondent No.4
as sent on 11.3.2005 by

registered post, acknowledgment due. However, neither the AD card nor the unserved envelope has

been so far received from the above said respondent. Therefore, I declare that there is deemed

service of notice on respondent No.4 in view of Proviso to sub-rule 5 of Rule 9 of Order V of CPC

and Section 27 of the General Clauses Act.

Service is complete.

The records would show that respondent No.1 has got sufficient opportunity to file

counter.

However, by way of last opportunity, three weeks' time more is

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Item No.25

SLP(C) NOS. 5320-21/2005

granted to file counter.

Whether counter is filed or not, list before the Hon'ble Court after the expiry of the

abovesaid period of three weeks.

(B.SUDHEEND

RA KUMAR)

Registrar

hj