

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

Petition(s) for Special Leave to Appeal (Civil) No(s).3659/2007

SURENDER NARAIN SUKUL TR.LRS.& ORS.

Petitioner(s)

VERSUS

HIRENDRA CHANDRA CHAKRABORTY TR.LRS.&ORS

Respondent(s)

(With prayer for interim relief and office report)

Date: 30/11/2010 This Petition was called on for hearing today.

For Petitioner(s)

Mrs.Shally Bhasin Maheshwari,Adv.

For Respondent(s)

Mr. K.N. Rai,Adv.

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

The learned Advocate for the petitioner states that they have filed proof of service.

However, on verification it is found that affidavit of service does not confirm the proof of service.

There is no proof of service on record.

It is simply stated in the affidavit that the respondent has refused to accept notice.

It is very easy for a litigant to say that the respondent has refused to accept notice.

It is repeatedly conveyed to all concerned that in such cases notices are required to be served through the nearest Civil Court/Trial Court by affixing the same at the given

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address in presence of independent witnesses and to file appropriate report as provided under CPC.

If it is not done, it cannot be proper proof of service

on record.

It seems that the original dasti notices are lying with the petitioner.

As last chance, therefore petitioner is permitted to serve such dasti notices as already directed by order dated 30.9.2010 i.e., by affixing the same at the given address through the nearest Civil Court/Trial Court.

If no proof of service is filed on record on or before 16.12.2010, matter to be listed before the Hon'ble Judge in Chambers for non-prosecution.

(S.G.SHAH)
Registrar

hj