

SECTION – XVI

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

INTERLOCUTORY APPLICATION NO.6

(Applications for restoration of appeal)

AND

INTERLOCUTORY APPLICATION NO.7

(Application for condonation of delay in filing restoration application)

IN

CIVIL APPEAL NO. 6083 OF 2008

Union of India & Ors.

... APPELLANTS

-VERSUS -

Sealdah Cold Storage & Trans. Ltd. & Ors.

... RESPONDENTS

OFFICE REPORT

Office report on default in the matter above mentioned was listed before the Hon'ble Judge in Chambers on 14.12.2015, when Court was pleased to pass the following Order:

“None present for the Appellants.

Learned counsel for the Respondent is present.

There has been repeated defaults on the part of the Appellants. Hence, the Appeal is dismissed for non-prosecution as well as for non-appearance.”

It is submitted that Mr. S.N. Terdal Counsel for the appellants has on 8th February, 2016 filed an application for restoration of appeal and on 11th March, 2016 filed application for condonation of delay in filing application for restoration, as the same is barred by time by 26. The applications have been registered as I.A. Nos. 6 and 7.

It is further submitted since Ms. Indra Sawhney, Advocate for Respondent Nos.1 and 2 was discharged Vide Order dated 23.1.2014 of this Hon'ble Court, notice for making alternative arrangement was sent by Registered A.D. Post to Respondent Nos.1 and 2 Unserved covers containing notice have been received back from both the respondents with postal remarks “Left“.

Service of notice of alternative arrangement is still not complete on Respondent Nos.1 and 2 . Mr. S.N. Terdal, Counsel for the appellant has on 11th December, 2015 filed Affidavit of Service stating there that Respondent No.2 Director of Sealdah Cold Storage & Trans. Ltd (Respondent No.1) has expired and his family had shifted from the same address to unknown place some years ago and Registered Office at that address has also been closed. Copy of Affidavit of Service has been included in appeal paper books.

The application in the matter above-mentioned are listed before the the Hon'ble Judge in Chambers with this report.

Dated this the 15th day of March, 2016.

ASSISTANT REGISTRAR

Copy to:- Mr. S.N. Terdal, Advocate.
Mr. R.P. Goyal, Advocate.

ASSISTANT REGISTRAR