

SECTION – XVI

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6083 OF 2008

Union of India & Ors.

... APPELLANTS

-VERSUS -

Sealdah Cold Storage & Trans. Ltd. & Ors.

... RESPONDENTS

REVISED OFFICE REPORT ON DEFAULT

It is submitted that Respondent Nos.1 and 2 were represented through Ms. Indra Sawhney, Advocate. Vide Order dated 23.1.2014 Advocate was discharged. 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“. Counsel for the appellant was asked vide this Registry's letter dated 24.3.2014 to furnish fresh address of Respondent Nos.1 and 2. Needful was not done by the counsel and matter was listed before the Ld. Registrar's Court on 29.4.2015 and again on 18.8.2015, when Court was pleased to pass the following Order:

“Four weeks time as last chance is given to the Ld. Counsel for the petitioners to comply with the terms of the order dated 29.4.2015 of this Court.

List again on 04.11.2015.”

It is submitted that in pursuance of the order quoted above Counsel for the Appellants has on 21.8.2015 filed process fee and spare copies of SLP **instead of furnishing the fresh particulars of Respondent No.1 & 2 and Trial court for effecting service of notice for making alternative arrangement.** Hence notice for making alternative arrangement could not be issued.

The matter above-mentioned was lastly listed before the Ld. Registrar Court on 4.11.2015, when the Court was pleased to pass the following Order:

“The office report indicates that by order dated 18.8.2015 of this Court, four weeks time as last chance was given to the Ld. Counsel for the petitioner to furnish the fresh address of the

respondent Nos.1 & 2 and also the District Court Address, yet he has not done the needful within the period stipulated in the order. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter .”

It is lastly submitted that 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 is enclosed herewith).

The office report is listed before the the Hon'ble Judge in Chambers for directions.

Dated this the 12th day of December, 2015.

ASSISTANT REGISTRAR

Copy to:-Mr. B.K. Prasad, Advocate
Mr. R.P. Goya, Advocate.

ASSISTANT REGISTRAR