

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 (Crl) No(s).555/2006

RAJESH KUMAR @ PAPPU & ORS.

Petitioner(s)

VERSUS

SANJAY KUMAR & ANR.

Respondent(s)

(With appln(s) for bail,stay and office report )

Date: 24/07/2006 This Petition was called on for hearing today.

For Petitioner(s)

Mr. B.B. Singh,Adv.

For Respondent(s)

Mr. Gopal Singh,Adv.

UPON hearing counsel the Court made the following

O R D E R

It appears from the records that notice to respondent No.1 was sent by registered post

A.D. on 17.4.2006. However, neither A.D. Card nor unserved envelope has been received back so far

from respondent No.1. Therefore, I hold that there is deemed service of notice on respondent No.1 in

view of proviso to sub-rule (5) of Rule 9 of Order V of C.P.C. and Section 27 of the General Clauses

Act.

Respondent No.1 has no appearance.

The learned counsel for respondent No.2 has submitted that respondent No.2 does not

intend to file any counter.

The learned counsel for the petitioners has submitted that the petitioners have been behind

the Bars for the last four months and in the said circumstances, the learned counsel has prayed for

placing the matter before the Hon'ble Court on an early date. It has been further submitted

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by the learned counsel for the petitioners that some of the petitioners are aged and ailing, and hence,

if the matter is not listed before the Hon'ble Court on an early date, irreparable injury and hardships

will be caused to them.

Considering the submission of the learned counsel for the petitioners, I am inclined to

place the matter before the Hon'ble Court on an early date.

List the matter before the Hon'ble Court on 31.7.2006.

(B. Sudheendra Kumar)

Registrar

rd