

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

I.A. No. 1 & 2 In Petition(s) for Special Leave to Appeal  
(Civil) No(s).17613/2009

(From the judgement and order(s) in CSA No. 1180/2007dated 23-  
MAR-09 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

STATE OF RAJASTHAN & ORS. Petitioner(s)

VERSUS

KEDAR NATH & ANR. Respondent(s)

(With appln(s) for restoration & c/delay in filing application  
for restoration)

Date: 10/04/2012 These applications were called on for hearing  
today.

CORAM :  
HON'BLE MR. JUSTICE A.K. PATNAIK  
(In Chambers)

For Petitioner(s) Dr. Manish Singhvi, AAG  
Mr. Milind Kumar, Adv.

For Respondent(s) Mr. Om Prakash, Adv.  
for Mr. B.K. Prasad, Adv.

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

This is an application for recalling the order  
dated 14th October, 2011 by which the SLP was dismissed  
for default on the part of the petitioners.

It has now been brought to my notice that by  
the earlier order dated 23rd February, 2011, the Court  
had directed verification of service of notice on  
respondent no. 1 through Registered Post and since the  
notice by Registered Post was sent by the Registry, it  
was for the Registry to submit a report as to whether  
notice had been served on respondent no. 1 and hence  
there was no default on the part of the petitioners.

We find full force in the submission made by  
learned counsel for the petitioners. The order dated  
14th October, 2011 dismissing the SLP for non-  
prosecution is recalled.

Delay in filing restoration application is  
condoned.

Registry to furnish a report of service of  
notice on respondent no. 1 within two weeks.

(DEEPAK MANSUKHANI)  
Court Master

(M.S. NEGI)  
Court Master