

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR M.P. BHADRAN

Petition(s) for Special Leave to Appeal (Civil) No(s).13502/2006

VED PRAKASH GARG

Petitioner(s)

VERSUS

MITHU JATAL AND OTHERS

Respondent(s)

(With appln(s) for c/delay in refiling SLP and prayer for
interim relief and office report)

Date: 01/11/2007 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Debasis Misra,Adv.

For Respondent(s)

Mr. Vipin Gogia, Adv.

Ms. Jaspreet Gogia,Adv.

UPON hearing counsel the Court made the following
ORDER

Service is complete on respondent Nos.1, 2, 5, 6 and 7.

No counter affidavit is seen filed by respondent No.1.

Respondent No.4 is reported dead.

Respondent Nos. 3 and 8 have refused to accept the dasti

notice.

The learned counsel for the petitioner submitted that in view of the refusal by respondent Nos. 3 and 8, it should be treated as deemed service.

The said request of the learned counsel for the petitioner cannot be accepted in view of the provisions contained in Order V, Rule

9A(4) C.P.C..

Item No.32

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So, issue fresh notice to respondent Nos. 3 and 8 by registered post, acknowledgment due.

Take steps, if any, in respect of deceased respondent No.4.

List again on 8.1.2008.

(M.P. Bhadran)
Registrar

rd