

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).7290/2006

(From the judgement and order dated 17/02/2005 in WP No. 2206/2004 of
The HIGH COURT OF BOMBAY)

STATE OF MAHARASHTRA & ORS.

Petitioner(s)

VERSUS

M/S. NARMADA ESTATES PVT. LTD. & ORS.

Respondent(s)

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

Date: 30/01/2008 This Petition was called on for hearing today.

For Petitioner(s) Mr. Ravindra Keshavrao Adsure,Adv.

For Respondent(s) Dr. Kailash Chand,Adv.

Mr. S. Rajappa ,Adv

Mr. Vishwajit Singh ,Adv.

Ms. Seema Bengani,Adv.

Mr. A.K. Sinha,Adv.

UPON hearing counsel the Court made the following
ORDER

Nobody is present for the petitioner. Learned Advocate for Respondent No.1 is present, since they have filed caveat. Respondent Nos. 13 and 14 have filed their appearance. Rest of the served respondents have selected not to appear before this Court. Matter is dragging for service upon unserved Respondent No. 7, since 3rd November, 2006 and was repeatedly adjourned for affecting service upon unserved respondent No.7 for which petitioner is bound to take appropriate steps selecting the best option as provided under the Civil Procedure Code to confirm the service. It seems that petitioner has disclosed before the Hon'ble Chamber Judge on 31st July, 2007 that needful has been done.

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It appears that petitioners have relied upon payment of process fee on 28th July, 2007.

However, it is not sufficient on the part of the petitioner to pay process fee only and then to say that necessary is done to affect the service upon unserved respondents. If any of the respondent is not served, it is the duty of the petitioner to verify the record and to take appropriate steps by selecting for proper mode of service.

In view of the above facts and circumstances, since the matter is pending

for service only upon Respondent No. 7 for more than a year. No further time can be granted to the petitioner.

List the matter before the Hon'ble Chamber Judge for non-prosecution against unserved respondents.

(S.G. Shah)
Registrar

MG