

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 S.G. SHAH

Petition(s) for Special Leave to Appeal (Crl) No(s).1424/2008

PARKASH SINGH & ANR.

Petitioner(s)

VERSUS

SURINDER KAUR

Respondent(s)

(With appln(s) for stay,permission to place addl. documents on record)

Date: 08/09/2010 This Petition was called on for hearing today.

For Petitioner(s)

Mr Jasbir Singh Malik, Adv.  
Mr. S.K. Sabharwal,Adv.

For Respondent(s)

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

It is unfortunate that there is no proper proof of service with affidavit filed on 7.9.2010 as proof of service.

It is stated in such affidavit that dasti notice could not be served to the respondent as she has moved out 5-6 years back from the concerned place.

It seems that dispute is of personal nature and parties are known to each other because of their relation.

In view of such fact, it is for the petitioner to find out the whereabouts of the respondent or to take appropriate steps to confirm service as provided under CPC by selecting appropriate mode.

Item No.15

It is unfortunate that such vague and improper affidavit is not only filed but the learned Advocate appearing for the petitioner are pressing the Court to consider such affidavit as proof of service.

It also seems that the matter is regarding quashing some complaint. In that case, original complaint must be pending before the Trial Court, thereby petitioner can easily approach that Court for confirming service on unserved respondent, who is complainant.

Filing affidavit before this Court stating that they cannot find complainant and could not serve them, and then to say to consider such service as proper service and to press for considering the matter as complete for listing says everything.

List before the Hon'ble Judge in Chambers for non-prosecution.

(S.G.SHAH)  
Registrar

hj