

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

B E F O R E T H E R E G I S T R A R S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).6 9 4 9 / 2 0 0 5
(From the judgement and order dated 21/ 1 2 / 2 0 0 4 in CCCA No. 51/ 1 9 9 3 of The
HIGH COUR T OF A.P AT HYD E R A B A D)

AZHA R SUL T A N A

Petitioner(s)

V E R S U S

B. RA J A M A N I & ORS Respondent(s)
(With prayer for interim relief and office report)

Date: 04/ 0 1 / 2 0 0 8 This Petition was called on for hearing today.

For Petitioner(s)
M/S. Lawyer'S Knit & Co,Adv.

For Respondent(s)
Mr. S. Madhusudh a n Babu, Adv.
Mr. Mukesh K. Giri,Adv.

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

It is pertinent to note that petitioner has failed to serve the unserved respondents since May, 20 0 5 . This may be because of an interim order in their favour. Matter was listed before the Hon'ble Judge for non- prosecution on 13. 2. 2 0 0 7 when petitioner has confirmed that they will take appropriate steps on the same day. However, even after an year, the matter stands as it is i.e. respondent Nos. 2 to 4 are yet to be served. It seems that unserved respondents were served and represented by the common advocate for all the defendants in the original suit being O.S. No. 14 3 6 of 19 8 1 decided on 21. 7. 1 9 9 3 by the City Civil Court, Hyderabad. It is also clear that such unserved respondents were ex-parte before the High Court as stated on page 2 of the impugned judgment in Appeal No. 51 of 19 9 3 dated 21. 1 2 . 2 0 0 4 .

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In view of the above facts, when petitioner has selected to get publish the notice on such unserved respondents in a particular newspaper as per their application, now their request to change the newspaper for publication of notice cannot be accepted.

However, since learned advocate for respondent No. 1 has no objection, interim application dated 12. 1 1 . 2 0 0 7 is allowed as prayed for with a specific direction to the petitioner to get the notice published on or before 24. 1. 2 0 0 8 .

Additional notice be forwarded to the City Civil Court, Hyderabad with a specific direction to the serving officer to affix the notice at the given addresses of the unserved respondents, (without fail) if it could not be served in due course.

List the matter on 24. 1. 2 0 0 8 .

(S.G. Shah)
Registra r