

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 7527-7530 OF 2005  
BEFORE THE REGISTRAR S.G. SHAH

VIJAY KUMAR & ORS. Appellant (s)

VERSUS

STATE OF J.&K. & ORS. Respondent(s)  
(With appln(s) for modification of Court's Order,impleadment and office  
report )

Date: 12/09/2012 These Appeals were called on for hearing today.

For Appellant(s)

Mr. Dinesh K. Garg, Adv.  
Mr. Dhananjay Garg, Adv.  
Mr. Ashok Mathur, Adv.

For Respondent(s)

Mr. John Mathew, Adv.  
Mr. Dinesh Kumar Garg ,Adv  
Mr. Sunil Fernandes ,Adv  
Ms. Vemika Tomar, Adv.  
Mr. Gaichangpou Gangmei, Adv.

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

Learned Advocate Mr. Dhananjay appearing on behalf of Mr. Dinesh Kumar Garg who has filed I.A. Nos. 7 and 8 on behalf of some of the applicants of such I.A. states that there is practice prevailed that whenever any application is filed in any disposed of matter, the notice to the concerned advocates of the litigant is to be served by the Registry and therefore, he states that notice is to be served on Advocate-on-Record and standing counsel for the concerned litigant who had appeared before the Court in the main matter by the Registry. There is an order of the Court on 30th April, 2012 to issue notice on such I.As. Therefore, practically notice

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upon all concerned is to be served as per rules and not as per prevalent practice which cannot be confirmed only on the say of the learned advocate. It is certain that nobody has restrain the applicant to serve advance copy of their I.As. to concerned advocates when they are referring some practice.

It is further stated by the learned counsel for the appellant that they have paid process fee twice and they have supplied copies of the pleadings twice and therefore, it is for the Registry to confirm the service upon advocate for the concerned litigant instead of forwarding such notices to the concerned litigants themselves. This court does not agree with such a proposition. If applicant fails to serve notice as per rules to confirm the service upon unserved litigant on or before 24th September, 2012, matter shall be listed before the Hon'ble Judge in Chambers for non-prosecution.

(S.G. Shah)  
Registrar

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