

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

I.A.NO.7 AND 8 IN 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: 01/08/2012 These Appeals were called on for hearing today.

For Appellant(s)

Mr. Ashok Mathur,Adv.

For Respondent(s)

Mr Gaichangpou, Adv.

Mr. John Mathew,Adv.

Mr Dhananjay Garg, Adv.

Mr. Dinesh Kumar Garg ,Adv

Ms Vernika Tomar, Adv.

Mr. Sunil Fernandes ,Adv

UPON hearing counsel the Court made the following

O R D E R

Issue fresh notice with additional dasti service on unserved respondents. The litigant has to confirm dasti notice directly upon the litigant-respondent. However, they are permitted to serve through the nearest Civil Court/Trial Court where private parties are concerned and through standing counsel where State authorities are concerned. Process fee and spare copies are to be filed before 13.8.2012, else list before the Hon'ble Judge in Chambers for non-prosecution.

Appellant has to take appropriate steps so far as appellant No.4 is concerned in view of registry's letter dated 28.5.2012.

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Item No.2

Registry has to be more careful. Registry has to prepare clear office report indicating the service upon each respondent without fail. Registry has to clarify in writing to the undersigned that under which authority they are addressing letters to the litigants to do certain things. In the present case if there is information that appellant No.4 is no more and if appellant or proposed legal heirs of such deceased appellant have failed to take appropriate steps as per law in time, matter shall be immediately listed before the Hon'ble Judge in Chambers for abatement without fail.

It is more unfortunate that Advocates appearing before this Court does not know the correct position of their case. In the present case, all the respondents are authorities and therefore, when there is an issue that who are the legal representatives to be joined, it is made clear that it is deceased appellant No.4 and not respondent No.4.

Appellant has to confirm service upon unserved respondents before 12.9.2012.

List before the Hon'ble Judge in Chambers for abatement so far as appellant No.4 is concerned. It goes without saying that if appellant or proposed legal heirs file proper application, same may be adjudicated as per rules.

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| (S.G. SHAH)  
| REGISTRAR

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