

REGISTRAR COURT NO. 2

LISTED ON: 26-9-2014

ITEM NO. : 6

SECTION XIIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 3565-3574 of 2009.

WITH
PRAYER FOR INTERIM RELIEF
AND
INTERLOCUTORY APPLICATION NO.
(Application for substituted service)

LAND ACQUISITION OFFICER ..Petitioner

Versus

TENTU RAMACHANDRARAO AND ORS. ..Respondents

OFFICE REPORT

The matter above mentioned was listed before the Ld. Registrar Court on 24th July, 2014, when he was pleased to pass the following Order:-

“Three weeks time, as last chance is given to the learned counsel for the petitioner for curing the defects whatever have been found in the application for substituted service.

The learned counsel for the petitioner shall also take fresh steps for the service of notice to the unserved respondents within a period of four weeks.

The served respondents shall be at liberty to file the counter affidavit within a period of six weeks, in case they intend to do so.

List again on 26.9.2014.”

It is submitted that counsel for the petitioner has not cured the defects in the Application for substituted service of unserved respondent.

It is further submitted that counsel for the Petitioner has not taken fresh steps for effecting service on unserved Respondent Nos. 1, 3, 12, 18, 21 & 22 in 3565 of 2009, Respondent 1 and 5 and 6 in 3566 of 2009, Respondent Nos. 1, 3, 4, 8 to 13, 15, 17 to 28, 30, to 35, and 37 in SLP 3567 of 2009, Respondent Nos. 1 to 44, 46 to 53 in SLP(C) No. 3568 of

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2009, Respondent Nos. 1 to 21, 23 to 33 in SLP 3569 of 2009, Respondent Nos. 2 to 4, 5, 7 to 9, 12 to 15, 17 to 19, 22 to 24 26 to 30 & 32 to 36, 38 to 39 in SLP 3570 of 2009, Respondent Nos. 1, 2, 5 to 9, 11 to 16 and 18 to 22, 24 to 30 in 3571 of 2009, Respondent Nos. 1 to 8, 10 to 12, 15, 16, 18, 19 and 21 in SLP 3572 of 2009, Respondent Nos. 1, 2, 6, 8 to 13, 18, 20 to 22, 24, 26, 27, 29 to 30 in 3573 of 2009, Respondent Nos. 1 to 4, 6 to 8, 10 to 15, 17 to 22, 24, 26 to 28, 30 to 33, 36 to 40 and 42 to 56 in SLP 3574 of 2009 so far.

It is further submitted to the Hon'ble Court that counsel for the Petitioner has on 25th July, 2011 filed an application for substituted service for effecting service on behalf of the some of the unserved respondents namely Respondent No. 17 in SLP 3567/2009, Respondent Nos. 22, 32, 53 in SLP(C) 3568 of 2009, Respondent Nos. 9, 11, 22 in SLP 3570/2009, Respondent Nos. 10, 22, 45, 54 in SLP 3574 of 2009) furnishing therein the names of two Newspapers one in English and second in Vernacular. But he said application is defective as counsel for the Petitioner has not mentioned the all numbers of unserved respondents as service is not complete on Respondent Nos. 1, 3 12, 18, 21 & 22 in 3565 of 2009, Respondent 1 and 5 and 6 in 3566 of 2009, Respondent Nos. 1, 3, 4, 8 to 13, 15, 17 to 28, 30, to 35, and 37 in SLP 3567of 2009, Respondent Nos. 1 to 44, 46 to 53 in SLP(C) No. 3568 of 2009, Respondent Nos. 1 to 21, 23 to 33 in SLP 3569 of 2009, Respondent Nos. 2 to 4, 5, 7 to 9, 12 to 15, 17 to 19, 22 to 24 26 to 30 & 32 to 36, 38 to 39 in SLP 3570 of 2009, Respondent Nos. 1, 2, 5 to 9, 11 to 16 and 18 to 22, 24 to 30 in 3571 of 2009, Respondent Nos. 1 to 8, 10 to 12, 15, 16, 18, 19 and 21 in SLP 3572 of 2009, Respondent Nos. 1, 2, 6, 8 to 13, 18, 20 to 22, 24, 26, 27, 29 to 30 in 3573 of 2009, Respondent Nos. 1 to 4, 6 to 8, 10 to 15, 17 to 22, 24, 26 to 28, 30 to 33, 36 to 40 and 42 to 56 in SLP 3574 of 2009. But counsel for the petitioner has not cured the defects in the application for substituted service.

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Service position of each Special Leave Petition is stated as below:-

SLP No. 3565 of 2009

It is submitted that there are 1 to 22 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 2, 4 to 11, 13 to 17, 19 and 20 but no one has filed Vakalatnama and appearance on behalf of above-said respondent. Unserved Registered Covers have been received back in respect of respondent nos. 12, 18 and 22 with postal remarks "Refused and incomplete address" respectively. Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 1, 3 and 21 in respect of earlier show cause notice issued by this Registry.

Service is not complete on respondent Nos. 1, 3, 12, 18, 21 and 22.

SLP No. 3566 of 2009

It is submitted that there are 14 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 2 to 4 but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers has been received back in respect of respondent nos. 1, 8 to 13 with postal remarks "incomplete address". Respondent No. 7 is dead. Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 1, 5 and 6.

Service is not complete on Respondent Nos. 1, 5 and 6.

SLP No. 3567 of 2009

It is submitted that there are total 37 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 2, 5 to 7, 14 & 16, 29 & 36, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers have been received back in respect of respondent nos. 8, 9, 13, 15, 21, 26 and 34 with postal remarks "incomplete address, Party not available". Neither A.D. nor unserved registered covers have been received back in respect of respondent nos.1,

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3, 4, 10 to 12, 17 to 20, 22 to 25, 27, 28, 30 to 33, 35 and 37.

Service is not complete on Respondent Nos. 1, 3, 4, 8 to 13, 15, 17 to 28, 30 to 35 and 37.

SLP No. 3568 of 2009

It is submitted that there are total 53 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos.45 and 53, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers have been received back in respect of respondent nos. 8, 9, 11, 12, 19, 40, 43, 44 and 49 with postal remarks "incomplete address and short address and could not locate". Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 1 to 7, 10, 13 to 18, 20 to 39, 41, 42, 45 to 48.

Service is not complete on all the respondent except respondent nos. 45 and 53.

SLP No. 3569 of 2009

It is submitted that there are total 33 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 9, 12 and 22, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers has been received back in respect of respondent no. 21 only with postal remarks "could not locate". Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 1 to 8, 10, 11, 13 to 20 and 23 to 33.

Service is not complete on all the respondent except 9, 12 and 22.

SLP No. 3570 of 2009

It is submitted that there are total 39 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos.1, 6, 10, 11, 16, 20, 21, 25 and 31, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers have been received back in respect of respondent nos. 5, 7, 9, 14 and 37 with postal remarks "short

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address and could not locate". Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 2 to 4, 8, 12, 13, 15, 17 to 19, 22 to 24, 25 to 30, 32 to 36, 38 and 39.

Service is not complete on Respondent Nos. 2 to 4, 5, 7 to 9, 12 to 15, 17 to 19, 22 to 24, 26 to 30 and 32 to 36 to 39.

SLP No. 3571 of 2009

It is submitted that there are total 30 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 3, 4, 10, 17, 19 and 23, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers have been received back in respect of respondent nos. 1, 2, 11, 13, 14 to 16, 18, 20, 21, 25 to 27 and 29 with postal remarks 'could not locate' and short address. Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 5 to 9, 12, 15, 16, 22, 24, 28 and 30.

Service is not complete on Respondent Nos. 1, 2, 5 to 9, 11 to 16 and 18 to 22, 24 to 30.

SLP No. 3572 of 2009

It is submitted that there are total 21 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 9, 13, 14, 17 and 20, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers have been received back in respect of respondent nos. 11, 12, 15, 16, 18, 19 with postal remarks "could not locate and short address". Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 1 to 8, 10 and 21.

Service is not complete on Respondent Nos. 1 to 8, 10 to 12, 15, 16, 18, 19 and 21.

SLP No. 3573 of 2009

It is submitted that there are total 32 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 3 to 5

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7, 17 to 17, 19, 23, 25 and 28, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers have been received back in respect of respondent nos. 2, 11, 20 and 31 with postal remarks "could not locate and short address". Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 1, 6, 8 to 10, 12, 13, 18, 21, 22, 24, 26, 27, 29, 30 and 32.

Service is not complete on Respondent Nos. 1, 2, 6, 8 to 13, 18, 20 to 22, 24, 26, 27, 29 to 32.

SLP(C) No. 3574 of 2009

It is submitted that there are total 56 Respondents. Proof of delivery duly signed have been received back in respect of respondent Nos. 5, 9, 16, 25, 29, 34, 35 and 41, but no one has filed Vakalatnama and appearance so far. Unserved Registered Covers have been received back in respect of respondent nos. 4, 19, 23, 36, 39 and 44 with postal remarks 'short address', 'party not available' and 'refused'. Neither A.D. nor unserved registered covers have been received back in respect of respondent nos. 1 to 3, 6 to 8, 10 to 15, 17 to 22, 24, 26 to 28, 30 to 33, 36, 37, 38, 40 to 43, 45 to 56.

Service is not complete on Respondent Nos. 1 to 3, 6 to 8, 10 to 15, 17 to 22, 24, 26 to 28, 30 to 33, 36, 37, 38, 40 to 43, 45 to 56.

The matter above-mentioned is listed Ld.Registrar with this office report.

Dated this, the 25th day of September, 2014.

DEPUTY REGISTRAR

Copy to:-

Ms. C.K.Sucharita, Advocate

DEPUTY REGISTRAR

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