

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 B.SUDHEENDRA KUMAR

I.A.NO.9 IN Petition(s) for Special Leave to Appeal (Civil) No(s).7832/2005

KALPANA P. SHAH & ORS.

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

(For permission to serve show cause notice through publication)

Date: 16/11/2006 This Petition was called on for hearing today.

For Petitioner(s)

Mr. E.C. Agrawala,Adv.

For Respondent(s)

Mr.Chirag M.Shroff,Adv.

Ms Mahima C Shroff, Adv.

Mr Mukesh Kumar, Adv.

Mr. Tara Chandra Sharma ,Adv

Ms. Purnima Bhat ,Adv

Mr. Shivaji M. Jadhav ,Adv

UPON hearing counsel the Court made the following

O R D E R

The petitioner has filed an application praying for effecti  
ng service of notice on the

unserved respondent Nos. 11 and 12 referred to in the said application by way of publication in

dailies namely, 'Free Press Journal', an English daily and 'Nav Shakti' a vernacular daily.

Heard. I have also perused the application.

It is revealed from the application that the notice could not be served on the above

respondents under normal mode of service despite the earnest efforts taken in this regard. I am

satisfied from the averments in the application that notice could not be served on the above

respondents under any normal mode of service. The 'Free Press Journal' is an English daily and

'Nav Shakti' is a vernacular daily having wide circulation in

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the place of residence of the respondents. Therefore, I am inclined to allow this application with a

further direction that the notice be sent on the above respondents by affixation on their last known

address as well.

In the result, this application stands allowed and it is ordered that notice on the above

respondents be served by publication in 'Free Press Journal' and 'Nav Shakti' dailies. The process for

publication shall be handed over to the petitioner who shall file affidavit in proof of publication along

with the newspapers within four weeks. The process for affixation shall be sent from the office directly

to the District Judge concerned.

as prayed

The served respondents are granted four weeks' time to file counter affidavit,

for.

List again on 17.1.2007.

RA KUMAR)

(B.SUDHEEND

Registrar

hj