4ITEM NO.116 COURT NO.7 SECTION IV

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). 5592 OF 2006

RAMESH CHANDER & ORS. Appellant (s)

VERSUS

RANJIT SINGH & ORS. Respondent(s)

(With office report)
WITH
Civil Appeal NO. 5593 of 2006
(With office report)

Date: 03/02/2010 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE T.S.THAKUR

For Appellant(s) None

For Respondent(s) Mr. Manoj Swarup, Adv.
Mr. Devesh Kr. Tripathi, Adv.
Mr. Ashok Anand, Adv.for
Mr. P.N. Puri,Adv.

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

Despite service, no one appears for the appellants in Civil Appeal No.5592 of 2006. No one appears for appellant Nos. 1 to 4 in Civil Appeal No.5593 of 2006. Notice sent to appellant No.5 has been received back unserved with the endorsement that the address is incomplete. Both these appeals were filed through Shri M.S.Dahiya, Advocate against the order of eviction passed by the courts below. Shri Dahiya has since passed away. No one has entered appearance on behalf of the appellants in both the appeals thereby necessitating court notices to the appellants. In the ordinary course, we would have dismissed the appeals for non-prosecution but keeping in

view the fact that erstwhile counsel appearing for them has passed away and the dismissal of these appeals will result in eviction of the appellants from the premises in question, we deem it just and proper to direct fresh notice to be issued to the appellants in both the appeals returnable by 30th March, 2010 to be served through District Judge, Gurdaspur, Punjab, who shall take steps to ensure that a special process server is deputed for service of the notices upon the appellants. In case, the appellants or any one of them cannot be served, the prosess server shall have a copy of the notice served upon the persons who are presently occupying the disputed premises and send an appropriate report to this Court. The court notices shall indicate the boundaries of the disputed premises in both the cases to enable the process server to do the needful.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master