

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).1250/2007

(From the judgement and order dated 07/12/2006 in WA No. 1897/2006 & WP No. 48470/2003 of The HIGH COURT OF KARNATAKA AT BANGALORE)

KARNATAKA VOGGALIGARA SANGHA

Petitioner(s)

VERSUS

REVENUE SECRETARY (II) & ORS.

Respondent(s)

(With appln(s) for PERMISSION TO FILE ADDL. DOCUMENTS and prayer for interim relief and office report )

WITH SLP(C) NO. 1896 of 2007

(With prayer for interim relief and office report)

SLP(C) NO. 3962 of 2007

(With prayer for interim relief and office report)

Date: 22/07/2008 This Petition was called on for hearing today.

For Petitioner(s) Mr. E.C. Vidya Sagar,Adv.  
Ms. Sangeeta Singh,Adv.  
Mr. Vikas Rajipura,Adv.  
Ms. Kiran Suri,Adv  
Mr. Irshad Ahmad,Adv

For Respondent(s) Ms. Kiran Suri,Adv.  
Ms. Aparna Bhat,Adv.  
Mr. Sanjay R. Hegde ,Adv  
Mr. Amit Kr.Chawla,Adv.  
Mr. A. Rohen Singh,Adv.  
Mr. Vikrant Yadav,Adv.  
Mr. E.C. Vidya Sagar,Adv.

UPON hearing counsel the Court made the following  
ORDER

Petitioner in SLP(C) No. 3962/2007 is pressing to list the matters before the Hon'ble Court stating that the unserved respondent Nos. 3 and 4 in SLP(C) No. 1250/2007 are Respondent Nos. 4 & 5 in SLP(C) No. 3962/2007 and they are served by dasti mode in the month of April, 2007. It is her say that petitioner

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in SLP(C) No. 1250/2007 is deliberately not serving the unserved respondents and matters are being delayed for non-service.

In SLP(C) No. 1250/2007 dasti notices are issued long back. Petitioner has failed to pay the process fee twice. Petitioner is not in a position to serve these unserved respondents who are served in SLP(C) No. 3962/2007.

Today learned Advocate for the petitioner in SLP(C) No. 1250/2007 is

requesting to serve the unserved respondents with the help of the Civil Court.

Considering the time taken by the petitioner in not serving unserved respondent Nos. 3 and 4, no further time can be granted. However, since it is the say of the learned counsel for the petitioner that they are not able to serve the unserved respondents, even after repeated attempts, because unserved respondents are deliberately not accepting the notice. But in any such case petitioner has to disclose all such facts on record at the earliest, which is not done till date, though order for issuance of notice of January, 2007.

In view of the above facts and circumstances, no further time can be granted to the petitioner to confirm service upon the unserved respondents. However, they are permitted to serve the dasti notice, which is already with them, through the concerned Civil Court. Office has to intimate the District Court Bangalore (Rural) to extend the help/services of the Serving Officer/process server to the petitioner with a request to the concerned court to serve the notice upon the unserved respondents even by affixing the notice at the given address, if the Serving Officer could not serve the same in due course.

However, looking to typical facts and time lapse in serving the unserved respondents, office has to list the matter before the Hon'ble Chamber Judge for appropriate orders regarding non-prosecution against the unserved respondents, if proof of

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ITEM NO.24

COURT NO.R-2

SECTION IVA

service is not disclosed by the petitioner, before 12th August, 2008 i.e office has to list the matter before the Hon'ble Chamber Judge without waiting any orders from this Court after 12th August, 2008.

A copy of this order be communicated to Bangalore District Court (Rural) by fax also.

(S.G. Shah)  
Registrar

MG