

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Listed on
Court No.
Item No.

PETITION FOR SPECIAL LEAVE TO APPEAL(C)NO. 25379 OF 2012

WITH PRAYER FOR INTERIM RELIEF

U.O.I ...Petitioner(s)

Versus

Buta Singh & Ors. ...Respondent(s)

OFFICE REPORT ON DEFAULT

The matter above mentioned was listed before the Hon'ble Court on 13.08.2012 when the following order was passed :-

" Issue notice, both on the application for condonation of delay, as also on the Special Leave Petition.

Let the matter be heard along with SLP(C)No.3210 of 2011, in which notice had been issued on 24th January, 2011.

In the meantime, the Execution Proceedings, being No.119/2002, before the Additional District Judge, Bhatinda, shall remain stayed."

Accordingly, show cause notice to all the 13 respondents was issued on 09.01.2013 through registered A.D. Post. Neither A.D. cards nor unserved covers containing notice have been received back.

It is submitted that Mr. B.V. Balram Das, Advocate for the petitioner has on 11.11.2013 filed an application for substituted service but the same was defective as the name of respondent no. 13 was not mentioned. Further, Counsel for the petitioner has on 16.01.2014 filed a letter furnishing therein the names and addresses of all the respondents but name of respondent no. 8 does not tally with the Cause Title. Counsel has not cured the defects despite this Registry's letter dated 01.04.2014.

The fact was also apprised to Ld. Registrar as and when matter alongwith connected matter was listed before the Ld. Registrar.

It is further submitted that the matter alongwith connected matter was lastly listed before the Ld. Registrar's Court on 26.09.2014, when the following order was passed:-

" SLP(C) No. 25379/2012

What gets revealed from the perusal of the Office Report is that although by Order dated 24.7.2014 of this Court three weeks time as last chance was given to the the learned counsel for the petitioners to cure the defects found in the application for substituted service, yet he has not done the needful so far. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter."

It is further submitted that Counsel for the petitioner has on 13.10.2014 filed a letter furnishing therein the correct name and address of all the respondents but the same is still defective as respondent no. 9 is missing from the list.

It is further submitted that Counsel for the petitioner has filed an affidavit alongwith proof of publication of show cause notice but no orders have been passed so far on the application for substituted service since the application for substituted service is defective.

The default of the petitioner is listed before the Hon'ble Judge in Chambers with this office report.

Dated this the 11th day of November, 2014.

ASSISTANT REGISTRAR

Copy to: Mr. B.V. Balram Das, Adv.

ASSISTANT REGISTRAR

Haokip