

LISTED ON : 27-10-2014
COURT NO. : 7
ITEM NO. : 7

SECTION XII-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL(C) No. 16237 of 2013.

WITH
PRAYER FOR INTERIM RELIEF

PRINCIPAL ACCOUNTANT GEN. (AUDIT) & ANR. ..PETITIONERS
-VERSUS-
B. CHANDRASEKHARA RAO & ORS. ..RESPONDENTS

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 16th September, 2014, when the Hon'ble Court was pleased to pass the following order :-

“Let the matter be listed after four weeks to enable learned counsel for the petitioners to take steps to effect service on unserved respondents as well as to file application for substitution to bring the legal representatives of the respondents, who have breathed their last in the meantime.”

It is submitted to the Hon'ble Court that Mr. D.S.Mahra, counsel for the Petitioners has not taken steps for effecting steps on unserved respondent nos. 2 to 6, 10 and 13, in terms of the order of this Hon'ble Court dated 16th September, 2014.

It is further submitted that there are 16 Respondents in the matters. Mr. V. R. Anumolu, Advocate has entered appearance on behalf of respondent nos. 1, 12 and 16 but he has not filed counter affidavit so far. Service is complete on Respondent No. 15, through AD card as also through the lower court, but no one has entered appearance so far. Neither AD card nor unserved registered cover has been received from Respondent Nos. 5 and 6 and period of more than 30 days has expired. Unserved cover has been received from Respondent No. 4 with postal remarks “Party Expired hence returned to sender”, and remark from High Court that “No such person residing at the given address.”

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It is also submitted that Mr. D.S.Mahra, counsel for the Petitioner has on 13th January, 2014 filed affidavit of service stating therein that notice has been served on respondent no. 14 but he has not filed proof of service, but High Court remark is that “not residing at given address.”

It is further submitted that High Court vide its letter dated 25th September, 2013 has stated that show cause notices have been served on Respondent Nos. 1, 7 to 9, 11, 12, 15 and 16 through Chief Judge City Small Causes Court, Hyderabad but notices issued to Respondent Nos. 2, 3, 4, 5, 6, 13 and 14 have been returned unserved with following process server's report :

Respondent No. 2	out of India.
Respondent No. 3	Died.
Respondent No. 4, 5, 6	No such person residing at the given address.
Respondent No. 13	Vacated the house.
Respondent No. 14	Not residing at given address.

Service is therefore not complete on the said respondents.

The aforesaid matter is listed before the Hon'ble Court with this office report.

Dated this, the 16th day of October, 2014.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. D.S. Mahra, Advocate
2. Mr. V. R. Anumolu, Advocate

ASSISTANT REGISTRAR