jITEM NO.27 REGISTRAR COURT.1 SECTION XVIA

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 S.G. SHAH

TRANSFER PETITION (CIVIL.) NO(s). 393 OF 2010

ANANTA BISWAS Petitioner(s)

VERSUS

NORTHERN COALFIELDS LTD.& ORS. Respondent(s)
(With appln(s) for stay and office report)

Date: 08/12/2010 This Petition was called on for hearing today.

For Petitioner(s)
Ms. C.K. Sucharita,Adv.

For Respondent(s)
Mr. Rashid Khan, Adv.
Gp.Capt.Karan Singh Bhati,Adv.

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

It has been noticed that petitioner is unable to serve respondent No.2 who is co-petitioner with respondent No.1 - Company before the High Court. The matter is pertaining to labour laws. If respondent No.2 is co-petitioner before the High Court and when this petition is filed to transfer such writ petition from one High Court to another, the fact remains that such litigation is pending before the High Court wherein respondent No.2 is represented by the Company Advocate, being the petitioner No.2.

In view of the above fact, a statement by the learned Advocate appearing for respondent No.1 that they are unable to accept notice for their own Chief General Manager cannot be accepted. As a Company, respondent No.1 has to accept notice for its officers being respondent Nos. 2 and 3 both.

If respondent NO.1 has any reservation or if they have to say anything differently than above position, they have to file affidavit stating that how and why name of the

respondent Nos.2 and 3 are taken as a petitioner and how petition filed and preferred by them before the High Court by all petitioners jointly and why they are unabe to accept notice for respondent Nos.2 and 3. Even in that case, they are directed to receive dasti notice from the learned Advocate for the petitioner for effecting service upon unserved respondent Nos.2 and 3, as directed by this court to help the judicial process.

List again on 9.2.2011.

(S.G. SHAH)
REGISTRAR

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