

(ITEM NO.102

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). 2640-2642 OF 1999

UNION OF INDIA

Appellant

(s)

VERSUS

BALJIT SINGH & ORS.

Respondent

(s)

(With office report)

WITH

Civil Appeal NO. 3309-3340 of 1999

(With appln(s) for stay and office report)

Civil Appeal NO. 3341-3342 of 1999

(with application for interim directions and with office report)

Civil Appeal NO. 3555 of 1999

(With office report)

Civil Appeal NO. 3556-3586 of 1999

(with office report)

Civil Appeal NO. 5163 of 2002

(With office report)

Civil Appeal NO. 3009-3017 of 2003

(With application for interim direction/stay and substituted service and substitution of deceased respondent No.7 in CA 3010/2003 and with office report)

Civil Appeal NO. 3057-3059 of 2003

(With application for substituted service and stay and with office report)

Civil Appeal NO. 3152-3180 of 2003

(With appln(s) for interim stay and with office report)

Civil Appeal NO. 3060-3061 of 2003

(With office report)

Civil Appeal NO. 3343-3554 of 1999

(With application for c/delay in filing substitution and directions
and stay and vacating stay and substitution and office report)

Date: 30/08/2005 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE S.B. SINHA

For Appellant(s)

Mr. R.Mohan, ASG

Ms. Indra Sawhney, Mr. S.W.A.Qadri,

Mrs. Anil Katiyar, Mr. M.P.S.Tomar,

Mr. S.A. Mattoo, Mr. R.Nedumaran,

Mr. Vikash Sharma, Mr. Shailendra Sharma,

Mr. Sanveer, Mr. Rajiv Rufus, and

Mr. B.V. Balram Das, Adv.

For Respondent(s)

in CA 3343-3554/1999

Mr. P.C. Jain, Sr. Adv.

Mr. Neeraj Jain, Adv.

Mr. Vimal Chandra S. Dave, Adv.

Mrs. Neelam Kalsi, Adv.

Mr. P.N. Puri, Adv.

Rr-Ex-Parte

Mr. Dinesh Verma, Adv.

Ms. Suresh Kumari, Adv. for

Mr. A.P. Mohanty, Adv.

UPON hearing counsel the Court made the following

O R D E R

CA Nos.2640-2642/1999 & batch except CA Nos.3009-3017
& 3057- 59/2003

Counsel for Union of India has filed the additional documents in Civil Appeal Nos. 3343-3554 of 1999, copies of the same have already been given to the counsel opposite, which are taken on record.

Adjourned by six weeks to await service in Civil Appeal Nos. 3009-3017 & 3057-59 of 2003.

Civil Appeal Nos.3009-3017 of 2003

Service on some of the respondents is not complete. Counsel for the Union of India filed I.A. No.....of 2005 for Substituted Service by way of publication. Counsel has also filed an application I.A.No....of 2005 for substitution of the legal heirs of the deceased respondent No.7 in CA No. 3010 of 2003. Since application for condonation of delay was not filed, office did not number the I.A. being defective. On an oral submission made by the learned ASG, the delay in filing the application for substitution is condoned subject to all just exceptions. The abatement, if any, is set aside and substitution is allowed. Service on the unserved respondents and the legal representatives be effected through publication in Tribune(English) and Tribune (Punjabi), one insertion each.

Adjourned by six weeks. The publication be carried out on deposit of necessary costs by the Union of India and

a proof of service be also filed.

Civil Appeal No. 3057-59 of 2003

In these appeals, service on respondent Nos. 1 to 3 in Civil Appeal No. 3059 of 2003 is not complete and as the fresh address and whereabouts of these respondents could not be ascertained, Union of India has filed the present I.As for substituted service which is allowed. Respondents be served through substituted service by way of publication in Tribune(English) and Tribune(Hindi), one insertion each.

Adjourned by six weeks. The publication be carried out on deposit of necessary costs by the Union of India and a proof of service be also filed.

(Parveen Kr. Chawla)

Court Master

(Kanwal Singh)

Court Master