

LISTING ON 07.07.2014

COURT NO. 1

ITEM NO. 12

SEC.IV-A

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 17123 OF 2012
WITH PRAYER FOR INTERIM RELIEF

State of Madhya Pradesh

...Petitioner

-Versus-

Prakash Narayan & Ors.

...Respondents

OFFICE REPORT FOR DIRECTIONS

The matter above mentioned was listed before the Hon'ble Court on 11.5.2012 with an office report dated 10.5.2012, when the Court was pleased to pass the following Order:

*“Delay condoned.
Issue notice returnable in twelve weeks.
Dasti, in addition to the ordinary process.
In the meanwhile, the parties shall maintain status-quo
with regard to the subject property, as existing today.”*

Accordingly, show cause notice was issued to all the six respondent on 28.5.2012 through Regd. AD post as well as dasti to Counsel for the petitioner. Respondent Nos. 1 & 2 are represented through Ms. Pratibha Jain, Advocate and counter affidavit filed on behalf of Respondent No. 2. AD card duly signed has been received from Respondent No. 6 but no one has entered appearance on his behalf, so far. Neither AD cards nor unserved cover containing the notice has been received from Respondent Nos. 3 to 5.

It is submitted that Counsel for the petitioner has not filed affidavit of dasti service in respect of Respondent Nos. 3 to 5.

Service of show cause notice is not complete on Respondent Nos. 3 to 5.

Thereafter, the matter above mentioned was lastly listed before the Ld. Registrar on 18.9.2012 with an office report dated 17.9.2012, when he passed the following Order:

*“Outcome of dasti service to be filed before 30.10.2012,
else list before the Hon'ble Judge in Chambers for
non-prosecution.”*

It is submitted that Counsel for the petitioner has not filed affidavit of dasti service in respect of Respondent Nos. 3 to 5.

Thereafter, the Office Report for Directions dated 10.02.14 was listed before the Hon'ble Judge in Chamber on 24.03.2014, when His Lordship was pleased to pass the following Order:

“Learned counsel for the petitioner has not filed the affidavit of dasti service in respect of Respondent Nos. 3 to 5. Interim order granted by this court on 11.5.2012 is also in favour of the petitioner.

Post the matter before the regular Bench for appropriate orders.”

In view of the above said order, the matter above mentioned is listed before the Hon'ble Court with this Office Report.

Dated this the 16th day of May, 2014.

ASSISTANT REGISTRAR

Copy to: Mr. C.D. Singh, Advocate
Ms. Pratibha Jain, Advocate

ASSISTANT REGISTRAR

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