

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

Petition(s) for Special Leave to Appeal (Crl) No(s).2541/2009

TRIKUTA METALS P.LTD.& ORS. Petitioner(s)

VERSUS

M/S ORIENT STEEL & INDUSTRIES LIMITED Respondent(s)

(With appln(s) for substituted service,stay)

Date: 29/09/2010 This Petition was called on for hearing today.

For Petitioner(s)
Mr. Navin Chawla,Adv.

For Respondent(s)

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

Registry has to be careful.

There is mis-conception in the office report when it is stated that copy of application for substituted service is not served on either side, in view of the fact that there is only one respondent for whom substituted service is prayed for.

It is unfortunate that though original complaint is pending before the Trial Court and though stayed by this Court by order dated 20.4.2009, petitioner herein is praying for substituted service on original complainant who is very well present before the Trial Court.

Thereby, it may be very easy for the petitioner to confirm service on complainant through the Trial Court.

Item No.22

However, petitioner is spending time for confirming service on the respondent being original complainant since April, 2009.

In view of such facts, application for substituted service cannot be allowed.

Let there be fresh dasti notice with a specific direction to the petitioner to confirm service upon the respondent, being original complainant, through the Trial Court.

Trial Court is directed to confirm service either directly upon the original complainant through the Process Server or through the concerned Police Station or even through the Advocate appearing for such complainant before that Court.

If any of the party is of the view that address of the respondent is not proper or it is changed, then both the petitioner and respondent are directed to disclose their proper address on record at the earliest.

List again on 30.11.2010.

(S.G.SHAH)
Registrar

hj