

SECTION IV B

Listed on.05.01.2016

IN THE SUPREME COURT OF INDIA Court No.R-2  
CIVIL APPELLATE JURISDICTION Item No. 21

PETITIONS FOR SPECIAL LEAVE TO APPEAL(CIVIL)NOS.32267 OF  
2011, 685, 687, 5912 AND 11358 OF 2013

WITH PRAYER FOR INTERIM RELIEF

State of Punjab & Ors. ...Petitioner(s)  
Versus

Daan Singh & Ors. ...Respondent(s)

OFFICE REPORT

SLP (C) No.32267/2011

The matter above mentioned was listed before the Hon'ble Court on 28.08.2015, when the Court was pleased to pass the following order :-

" Learned counsel for the petitioners seeks one last opportunity to take fresh steps to effect service of notice on the unserved respondents.

Even though, the indulgence sought by the learned counsel for the petitioner deserves to be rejected, as one last chance, the petitioners are directed to take fresh steps to effect service on the unserved respondents, subject to payment of Rs.25,000/- as costs, to be deposited with the Supreme Court Secretarial Staff Welfare Association, within four weeks from today, and receipt thereof to be filed in the Registry.

If the aforesaid costs are not deposited within four weeks from today, the main special leave petition shall be deemed to be dismissed, without further reference to the Bench."

It is submitted that Mr. J.S. Chhabra, counsel for the petitioner has complied the aforesaid order. Counsel was filed a letter and requested to issued Dasti notice in respect of unserved Respondent Nos. 2, 3, 6, 7, 8, 10, 13, 14, 15, 17, 23 and 25 and the said letter was placed before the Ld. Registrar (IV-B). Accordingly Ld. Registrar Order dated 28.09.2015 and Hon'ble Court's (In Chamber) order dated 28.08.2015, fresh Dasti notice was issued on 13.10.2015. Mr. J.S. Chhabra, counsel for the

petitioner has on 06.11.2015 filed affidavit with proof of dasti service stating therein that Dasti notice have been served to all unserved Respondent Nos. 2, 3, 6, 7, 8, 10, 13, 14, 15, 17, 23 and 25. No one has entered appearance on their behalf so far. Rest of the respondents have already been served by Regd. A.D. Post/Dasti, but no one has entered appearance on their behalf so far.

Service of show cause notice is complete.

SLP (C) No. 685/2013

It is submitted that pursuant to Ld. Registrar Court's order dated 28.07.2015, the matter above-mentioned was listed before the Hon'ble Court (In Chamber) on 23.11.2015, when the Court was pleased to pass the following order :-

" In view of the office report dated 22.8.2015, issue fresh notice to Respondent No.34."

Accordingly, pursuant to above-mentioned order and Ld. Registrar Court order dated 10.03.2015, show cause notice to Respondent No. 34 has been issued through Regd. A.D. post and as well as by way of Dasti to be served through trial Court on 08.12.2015. Neither AD Card nor unserved cover containing notice has been received back so far. Counsel for the petitioner has also not filed any affidavit alongwith proof of Dasti Service.

Service of show cause notice on all the remaining respondents as Respondent Nos. 1 to 17, 19 to 33 and 35 to 36 are represented through Mr. Tushar Bakshi, Advocate but no counter affidavit has been filed. Respondent Nos. 18 is served through Regd. A.D. Post but there is no appearance on his behalf.

Service of show cause notice is not complete on Respondent No. 34.

SLP (C) No. 687/2013

The matter above mentioned along with connected

matters was listed before the Ld. Registrar on 07.10.2015, when the inter alia following order was passed:-.

“ Await the return of the service of notice already issued to the respondent No.4.”

It is submitted that an unserved cover with remarks 'deceased' has been received back in respect of Respondent No. 4, but no application for substitution to bring on record the Lrs. of deceased Respondent No. 4 has been filed by the counsel for the petitioner.

Service of show cause notice is complete on all the remaining respondents as Respondent Nos. 1, 2 and 5 to 12 are represented through Mr. B.S. Gupta, Advocate and Respondent No. 3 is served through Regd. A.D. Post but there is no Vakalatnama on his behalf. Service is not complete on Respondent No. 4 since deceased.

SLP (C) No. 5912/2013

It is submitted that pursuant to Registrar Court's order dated 13.05.2015, the matter above mentioned was listed before the Hon'ble Court (In Chamber) on 06.08.2015 and 28.10.2015, when the Court was pleased to pass the following order :-

“Order dated 06.08.2015

Two weeks' time is granted to learned counsel for the petitioners to furnish the particulars of the Trial Court.

Order dated 28.10.2015

Delay of 2 days in filing particulars of the Trial Court is condoned.”

It is submitted that pursuant to above-mentioned orders and order of Ld. Registrar dated 17.12.2014. show cause notice to Respondent Nos. 2-40 has been issued through Regd. A.D. post and as well as by way of Dasti to be served through trial Court on 27.11.2015. Neither AD Cards nor unserved covers containing notice have been received back so far. Counsel for the petitioner has also not filed any affidavit alongwith proof of service till

date.

Service of show cause notice is not complete on Respondent Nos. 2-40 and is complete on Respondent No. 1 through Advocate and counter affidavit has also been filed.

SLP (C) No. 11358/2013

The matter above mentioned along with connected matters was listed before the Ld. Registrar on 07.10.2015, when the inter alia following order was passed:-.

" Await the return of the service of notice already issued to the respondent No.7. List the matter again on 05.01.2016."

It is submitted that Neither AD Card nor unserved cover containing notice has been received back so far. Counsel for the petitioner has also not filed affidavit also proof of service till date to whom show cause notice was issued on 29.09.2015.

Service of show cause notice is complete on Respondent Nos. 1-6 and 8-10 as Mr. Prem Prakash, Advocate is appearing on their behalf . Counter Affidavit and Rejoinder Affidavit filed by counsel are included in SLP paper books.

Service of show cause notice is not complete on Respondent No. 7.

The matters are listed before the Ld. Registrar's Court with this office report.

Dated this the 04th day of January, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Kuldip Singh, Adv.
2. Mr. Prem Prakash, Adv.
3. Mr. B.S. Gupta, Adv.
4. Mr. J.S. Chhabra, Adv.

ASSISTANT REGISTRAR