

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

SECTION XVI-A
LISTED ON: 22-7-2016
CHAMBER MATTER: 14
ITEM NO. : 19

TRANSFER PETITION (CIVIL) NO. 893 OF 2014
WITH
INTERLOCUTORY APPLICATION NO. 1 OF 2014
(Application for Ex-Parte stay)

KRANTI

.....Petitioner

VERSUS

KAPIL KUMAR

.....Respondent

OFFICE REPORT ON DEFAULT

The Transfer Petition above mentioned was listed before the Hon'ble Court on 25th July, 2014 when the Court was pleased to pass the following order:

"Issue notice.

In the meanwhile, there shall be stay of further proceedings in Original Suit No. 690 of 2013 titled as Kapil Kumar versus Smt. Kranti pending before the Court of Civil Judge (C.D.), Gautam Budh Nagar, U.P."

Accordingly notice was issued to the Sole Respondent through Registered A.D. Post on 10th October, 2014.

It is submitted that neither A.D. card nor unserved cover containing the said notice has been received back from the Sole Respondent.

Thereafter the matter was listed before the Ld. Registrar Court on 6th February, 2015 when he was pleased to pass the following order.

"Fresh steps for the service of notice by usual mode to the unserved sole respondent shall be taken by the learned counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the Trial Court the particulats of which shall be furnished by the learned counsel for the petitiner within the period prescribed above.

List again on 16.04.2015"

It is submitted that counsel for the petitioner has not filed spare copy of Transfer Petition hence fresh notice could not be issued.

The matter was lastly listed before the Ld. Registrar Court on 5th August, 2015 when he was pleased to pass the following order;

"The office report indicated that although vide order dated 16.04.2015 of this Court four weeks' time as last chance was given to Learned Counsel for the petitioner to take fresh steps for the service of notice to the unserved sole respondent, yet he has not done the needful within the period stipulated in the order. Viwed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chamber for further future directions. Await orders. List thereafter."

Service of show cause notice is not complete.

The default on the part of counsel for the Petitioner is reported to Hon'ble Judge in Chamber with this Office Report.

Dated this the 23rd day of May, 2016.

ASSISTANT REGISTRAR

Copy to :

Mr. Sanjay Kumar Visen, Advocate

ASSISTANT REGISTRAR