

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Civil) No(s).7953/2007

N.NAGAMMA &amp; ORS.

Petitioner(s)

VERSUS

H.A.SOMASHEKARAIHAH

Respondent(s)

WITH SLP(C) NO. 7955 of 2007

Date: 07/07/2008 These Petitions were called on for hearing today.

For Petitioner(s)

Mr. S.N. Bhat,Adv.

For Respondent(s)

Ms. Anjana Chandrashekar,Adv.

UPON hearing counsel the Court made the following  
ORDER

By an order dated 23.4.2007, while issuing notice the Hon'ble Court has granted stay of dispossession.

Learned counsel for the respondent has pointed out that unserved Respondent No.3 in SLP(C)No.7955/07 is legal representative of the main Petitioner No.1, namely, K. Subbarayappa in SLP(C)No.7955/07, whose legal representatives have also preferred another SLP being SLP(C)No.7953/07.

..2/-

.2.

On verification of the cause title of both the petitions, it is confirmed that unserved Respondent No.3 in SLP(C)No.7955/07 is very well residing with the petitioners of both the petitions. Considering this fact, this Court has, on 5.12.2007, directed the petitioner to serve the unserved respondent without fail and in case of need, petitioner was permitted to take help of the nearest civil court for service upon such unserved respondent. Thereby, petitioners have either to serve the unserved Respondent No.3 in

SLP(C)No.7955/07 at the earliest since he is residing with them only and in case of any difficulty in serving such person, they have to affix the notice at the given address.

Unfortunately, petitioners are seeking time to confirm service upon the unserved Respondent No.2 who is not served since 30 th September, 2007.

In view of this fact, list the matter before the Hon'ble Chamber Judge for appropriate orders regarding non-prosecution against the unserved Respondent No.3 in SLP(C)No.7955/07.

(S.G.SHAH)  
Registrar