

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

TRANSFER PETITION (CRL.) NO(s). 125 OF 2007

BAL KRISHNA BERIWAL Petitioner(s)

VERSUS

ANIL KUMAR SARAWAGI AND ANR. Respondent(s)

(With appln(s) for stay and office report )

Date: 09/12/2010 This Petition was called on for hearing today.

For Petitioner(s)  
Mr. Jagdish Kumar Chawla,Adv.

For Respondent(s)  
Mr. Kamal Mohan Gupta,Adv.

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

Nobody is present for the petitioner.

Matter is pending since the year 2007 for confirming  
service upon respondent no.2.

Respondent No.1 is served and represented by Advocate.

Proceedings of the case before the Trial Court has been  
stayed by this Court by order dated 30.4.2007.

This may be one of the reason for not serving the  
unserved respondent for all these three years.

On perusal it is found that both the original complainant  
are under The Negotiable Instruments Act.

When the proceeding of such case before the Trial Court  
is stayed by this Court, and when unserved respondent is present  
before such Trial Court as private complainant, it would be very

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easy for the petitioner herein to confirm service on such  
respondent who are complainant before the Trial Court.

However, no step has been taken till date.

So far as respondent No.2 is concerned, petitioner has also disclosed her address of Thane which is in Maharashtra and near to Mumbai where the present petitioner is residing.

Therefore, it would be easy for him to confirm service through the Thane District Court also.

No steps are being taken for confirming service since long.

List the matter before the Hon'ble Judge in Chambers for non-prosecution.

Though registry has endorsed a letter to both the Trial Courts regarding first order staying the proceeding before the Trial Court, the matter is to be placed before the concerned Registrar (Judl) for scrutiny that how two causes of actions are clubbed in one petition.

(S.G.SHAH)  
Registrar

hj