

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 10533-10534 OF 2013  
WITH  
PRAYER FOR INTERIM RELIEF

The Deputy Commissioner of Commercial  
Taxes, Nellore & Ors.

.....Petitioners

-Versus-

M/s Santosh Builders

.....Respondent

OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 4<sup>th</sup> March, 2013, when the Court was pleased to pass the following order:-

**“Delay condoned.  
Issue notice returnable in twelve weeks.  
Dasti, in addition to the ordinary process.”**

Accordingly, show cause notice was issued to the sole respondent by Regd. A.D. post on 13<sup>th</sup> March, 2013, as well as dasti notice was also given to the counsel for the petitioners for effecting service of notice to the sole respondent. Neither A.D. card nor unserved cover containing the notice has been received back from the said Respondent so far.

It is submitted that counsel for the petitioner on 2<sup>nd</sup> May, 2013 has filed affidavit of dasti service alongwith proof stating therein that sole respondent has been served with notice on 24<sup>th</sup> April, 2013. No one has entered appearance on behalf of sole respondent so far.

Thereafter, the matters were listed before the Hon'ble Court on 16<sup>th</sup> August, 2013, 8<sup>th</sup> October, 2013 and lastly on 15<sup>th</sup> January, 2016, when the Court was pleased to pass the following order:-

**“Heard.  
Fresh notice be issued to the respondent.”**

It is submitted that fresh show cause notice was issued to the sole respondent on 3<sup>rd</sup> February, 2016, through registered A.D. Post as well as dasti notice was also given to the counsel for the petitioners for effecting service on the sole respondent.

The office report regarding service position was listed before the Ld. Registrar's Court on 11<sup>th</sup> May, 2016, when the following order was passed:-

**“Await the return of the service of notice already issued to the sole respondent. Four weeks is also given to the learned counsel for the petitioners for filing the affidavit in proof of dasti service of notice already issued to the sole respondent.**

**List again on 3.8.2016.”**

It is submitted that counsel for the petitioner has on 25<sup>th</sup> July, 2016, filed affidavit of dasti service alongwith proof of service which shows that the notice has been served on the sole respondent on 25<sup>th</sup> June, 2016, but no one has filed Vakalatnama/Appearance on behalf of the sole respondent so far.

It is lastly submitted that the office report was listed before the Ld. Registrar's Court on 3<sup>rd</sup> August, 2016, when the following order was passed:-

**“The office report indicates that service of notice is complete on the sole respondent, but no one has entered appearance on his behalf. Viewed thus, the matter shall be processed for listing before the Hon'ble Court on its own turn.”**

The matters above-mentioned are listed before the Hon'ble Court with this office report.

Dated this the 8<sup>th</sup> day of August, 2016.

ASSISTANT REGISTRAR

Copy to :-

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ASSISTANT REGISTRAR