

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 20 OF 2010

BEFORE THE REGISTRAR S.G. SHAH

MADHO SINGH

Appellant (s)

VERSUS

STATE OF PUNJAB & ORS

Respondent(s)

(With office report)

Date: 25/01/2012

This Appeal was called on for hearing today.

For Appellant(s)

For Respondent(s)

Mr. Ajay Pal,Adv.

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

Since the ld. Advocate who has filed this appeal has expired, a notice for alternative arrangement was issued and sent to the address disclosed by the appellant in the memo of SLP. Unfortunately, such address is that of his office only thereby probably there is no residential address of the appellant on record. Since notice for alternative arrangement was issued because of the death of the ld. Advocate of the appellant, there is no fault on the part of the appellant for non-appearance on last couple of dates. It would be appropriate to serve him a notice by proper mode.

It was never felt proper by Registry of any Court to ask the appellant to disclose his

-2-

Item No.57

residential address which is practically very much necessary. It is to be borne in mind that residential address of litigant is very much necessary not for the

purpose of service only but practically it is must in view of the legal provisions. Even if some rules for some High Court and rules for Supreme Court may not speak in clear terms about the disclosure of all full details of the litigant including residential address etc., the fact remains that appellate litigation upto Supreme Court is nothing but continuation of original litigation, before the first Trial Court and that cause title before the Trial Court is to be followed up to the end of the appellate jurisdiction/litigation. Thereby if proper details are disclosed before the first Trial Court, the same would be carried forward till the appellate jurisdiction. With such reference if we refer to Order VII Rule 1 of the Code of Civil Procedure, it specifically provides that the plaint shall contain the name, description and status of residence of the plaintiff and so far as they can be ascertained, it should be disclosed for the defendant also ; in addition to several other details which are prescribed in Sub-rule (a) to (i). It would be appropriate to recollect here that at least in Karnataka State even details of the place of business of both plaintiff and defendant are necessary. It is, therefore, clear that if proper information has been disclosed before the Trial court and before this Court while filing a litigation, such

-3-

Item No.57

position would never arise.

Registry has to be careful. Hereinafter wherever residential address is not properly disclosed, the same shall be asked for without fail. For the purpose copy of this order be forwarded to the new software developing team so as to develop proper software with provisions to enter full details of the litigant without fail, at least when the matter is admitted, if not on day first.

Copy of this order be also forwarded to the E-Committee
for taking similar steps in software which is under
development for the entire judiciary.

The fact remains that this is a service dispute
and therefore, respondent herein must have proper details
of the appellant. Respondent must have the information
about the current position of the appellant also.
Therefore, respondent No.1- State is requested to
disclose on record the available information that they
have so far as appellant is concerned i.e., his last
residential address and his position in service etc. on
or before 14.3.2012.

(S.G.SHAH)
REGISTRAR

hj