

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

TRANSFER PETITION (CRL.) NO(s). 165 OF 2007

SHILPA SHETTY Petitioner(s)

VERSUS

RIKHAB RAJ BHANDARI & ORS Respondent(s)

Date: 09/01/2009 This Petition was called on for hearing today.
For Petitioner(s)
Mr. Sanjay Sharawat, Adv.

For Respondent(s)
Mr. Jatinder Kumar Bhatia, Adv.

Mr. Naveen R. Nath ,Adv

UPON hearing counsel the Court made the following
ORDER

Learned counsel for the respondent is complaining about the filing of the petition against a dead person whereas learned counsel for the petitioner is requesting for fresh dasti notice.

On verifying the file prima facie it seems that an application for correcting the cause title was already allowed by the Hon'ble Court and therefore now petition stands in the name of correct respondent. However, in the cause list the correct name of the respondent is not shown.

Registry has to clarify in writing to the undersigned that why the name of the respondent when amended in the cause title, is not shown as corrected in the data base & thereby in cause list, till date.

On further verification it is found that matter was listed before the Hon'ble Chamber Judge with office report dated 6.5.2008. On 24th July 2004 the Hon'ble Chamber Judge has passed the following Order;
...2/-

:2:

"Learned counsel for the petitioner is not present in the Court.

If requisite steps in compliance with the Office Report dt.06.05.2008 are not taken within four weeks, the Transfer Petition shall stand dismissed."

However, unfortunately the matter is listed today with handwritten office report in performa wherein at Sl.No.1(i) it is stated that notice on some of the respondents are not served, and at Sl.No.1(iv) was tick marked which reads as "Await service report of the Trial Court/High Court" There is hand written note as Sl.No.5(A) disclosing that a letter of the advocate on 15.12.2008 requesting therein to supply dasti notice (illegible) placed F/A in the file.

However, in view of the order of the Hon'ble Chamber Judge as quoted herein above what steps are taken by the Registry is not certain. Registry has to explain in writing with detailed report about the action/steps taken after July, 2004 till date which is to be submitted with typed copy of the office note from 6.5.2008 till date, on or before 19.1.2009 List the matter on 19.1.2009.

(S.G.SHAH)
Registrar